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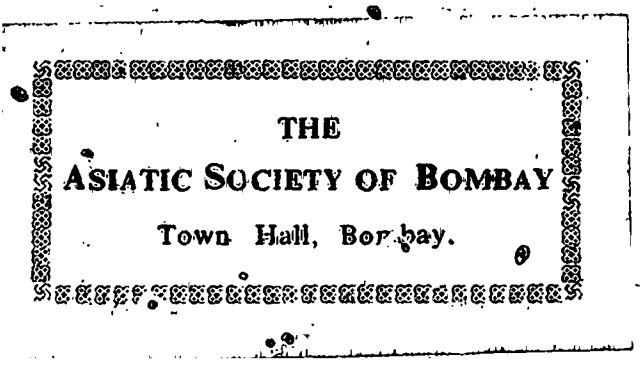

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THE HISTORY

OF

POLITICAL LITERATURE

FROM THE EARLIEST TIMES.

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BY

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ETC., ETC.

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CHAPTER I.

INTRODUCTORY OBSERVATIONS.

We now approach an epoch in the history of political literature, of an altogether different cast from what we have hitherto noticed. This is a period of remarkable mental activity; and books of politics, of every variety of form and matter, press upon us from all sides, and solicit our attention and criticism.

There are three great leading events, besides several minor ones, which come across the path of this historical portion of political science, and which gave a remarkable impetus to the spirit of mental inquiry generally; but particularly to matters connected with the civil rights and privileges of mankind. These events are the Protesant Reformation; the Revival of Letters in Europe; and the Discovery of Printing. These are, conjointly, of such a weighty and comprehensive character, and their ramifications and bearings on the intellectual pursuits and social condition of mankind are so various, that they eclipse or overshadow all the other mere secondary causes which mingle themselves with the general results. The first element of change excited the religious spirit to its highest pitch; the revival of letters brought before the ordinary mind of Europe all the political knowledge and

speculation of the early days of Greece and Rome; and the establishment of printing multiplied, to an indefinite extent, the mental labours of authors and politicians of every grade and cast.

The causes of this change have been commonly ascribed, by most English writers, to the gradual influence of several circumstances which took place at this period in the history of Europe. Most of the monarchical institutions had been vastly upon the increase for a century, in consolidating and augmenting their absolute power over the people; and this had obtained such a pitch in many countries, and had directly led to so many and such grievous acts of cruelty and political oppression, that a spirit of opposition was kindled amongst the mass of the people, and this vented itself in the publication of works breathing a decided hatred to tyrannical rulers of all grades, and showing the justice and policy of dethroning them, and even putting them to a violent death. In many of the treatises that will come before us we shall find that no terms were kept with despotic kings or rulers; but the doctrines of open rebellion and direct and speedy vengeance were uncompromisingly advocated and enforced. The existence of these productions must be taken as an infallible proof that the majority of the people of Europe were suffering great political hardships and wrongs; and that the ordinary exercise of monarchical power was regulated by no principles of justice and equity.

The Reformation was a momentous political element; it gave a powerful and new impulse to the popular mind throughout the whole of Europe. The transition was quite easy and natural, from investi-

gating the moral government of the Deity, and subjecting the political institutions of men to a most rigid examination; they mutually reflected additional light on each other. The subjugation of sacerdotal power stimulated the people to endeavour to get rid of all social and public grievances; and the sacred writings afforded them examples without number, where efforts of this description were fully and unequivocally sanctioned by the divine countenance and command.

Up to the period of the termination of the fourteenth century, we have traced, in the preceding volume, the gradual formation of the ultra-montane doctrines of the catholic church—that it ought to be considered as the sole arbiter of what was politically good and expedient in every country where its power and influence were formally recognised and established. The subordinate political principles involved in the discussion of this general axiom of social philosophy had been fully developed; and every argument, and every illustration, had been employed which the most subtile and able minds, during many centuries, had been able to suggest. This dogma of christian supremacy was one of the infallible canons of the faith of mankind; and it was not only firmly rooted in their minds as a speculative truth, but its practical fruits were everywhere present to the senses, in all civil ordinances and rules of law, and the modes and customs of social life. The political power of the papacy was an ever present reality in the minds of men. It had battles to fight, controversies to settle, enemies to silence, and new converts to strengthen; but notwithstanding all these things were going on in the bosom of the

church, it was still gaining ground as a political engine, embracing within its sweeping range everything in the shape of independent thought and public opinion on matters of secular interest and importance; and one generation of able and studious men passed to the tomb after another, without ever having the slightest conception that such a thing as a political science could exist, beyond the pale of the clerical hierarchy. But the extreme length to which the doctrine of papal civil supremacy had been pushed, naturally created a reaction against it. The reason of men felt the dogma revolting to common sense. Opposition to it, however, did not altogether take its rise from purely political sources, for it was materially assisted by questions and disputes, both as to religious doctrine and ritual. These formed the spark which ignited the inflammable materials promiscuously strewed about throughout the kingdoms of Europe. Hence we find that the first regular attacks on the power of Rome were of a theological cast; but these were soon followed by another series of a decidedly political and civil character.

Throughout the entire mass of political writings, comprised in the period of history now under consideration, there are two grand doctrines pervading nearly the whole of them, like the leading arteries in the animal body, conveying life and energy to the whole frame. These are, *liberty of conscience*, and *the right of resistance to constituted authorities;* the one aiming a direct blow at the power of the church, and the other at all regularly constituted governments, and civil communities. These two ideas, possessing a certain logical and philosophical relation to each

other, were the mainsprings of the Reformation, and the prolific source of ninety-nine out of every hundred of the political treatises which made their appearance, at this time, in the several countries of Europe. Not but what there were other weighty principles of polity scattered up and down the entire range of literature; but these had little or no hold on the public mind, nor did they influence its practical movements in any perceptible degree. Everything was concentrated in the two prominent doctrines of liberty of thought, and a right to make changes in a government when a nation willed them; and the varied illustrations these two tenets received, the enthusiasm imparted to their discussion, and the struggles of life and death made for their establishment, present one of the most instructive and interesting displays of the mind of man, during the whole range of his earthly history.

It cannot fail, we conceive, to prove of advantage to the general reader, to have a bird's eye view of the leading arguments on these two grand doctrines, and of the opposite tenets by which they were combatted. This is rendered an almost indispensable arrangement, when the number of the works on these questions is taken into consideration. From the first dawn of the Reformation in Great Britain, to the year 1668, there are not less than *one thousand* distinct publications, in the English language, on the rights of conscience, and the lawfulness of civil resistance, including, of course, other works which take the opposite side of the argument. Therefore, it is beyond the scope of this treatise to give even a simple enumeration of these several literary productions, much less epitomes

of their general scope and merits. It is only the more prominent and able of these writings that can be particularised; and this, too, in a very brief and cursory manner. To have a tolerably correct abstract of the arguments on which these two great political principles rest, and the great interest attached to them, even at the present hour, are sufficient grounds of themselves for the adoption of this plan, which will likewise enable us to fill up discrepancies in the ordinary bearings of the subject, and to avoid frequent and needless repetitions.

The vital principle, then, of religious toleration or freedom, lay, as we have already stated, at the base of the Reformation, and it may, without any direct reference to particular religious sects or denominations, be expressed in the following words:—*The liberty of the human conscience from all external and legislative restraints, and the right of every man to judge and act for himself in the concerns of religion, without the interference of human authority to coerce or control him.* This is the form and substance of the axiom on which the entire fabric of religious toleration hinges.

As religious truth is the concern and business of every individual person, and as this concern lies immediately between the Creator and himself, it is requisite he should have and exercise a perfect liberty, and that in his belief and practice he should be in the fullest enjoyment of freedom, to think, judge, and act for himself. Every man's salvation is his own personal concern; every man's soul is in his own keeping. There can be no delegation of power here; no power to transfer the business in hand to any deputies or agents whatsoever. It is impossible that a matter

of this kind can be alienated; the thing is unnatural, and beyond the province of legislation.

Religion, then, is a gift which God has given to every one in particular. It is unquestionably subject to His influences and inspirations, but with respect to everything else, it is free and independent of worldly or temporal authority. No one should enter unwillingly or ignorantly into any religious order or community; neither ought any man, by virtue of any human right or power, be obliged to embrace a religion, or continue in it, or conform himself in everything to that which he has preferred to all others, by arms, or the authority of laws.

It is not less a man's privilege to quit a religion after having embraced it, than to profess it at first. Indeed, that person is unworthy of being a member of any spiritual society, who does not love the head of it with all his heart, and not with his lips only; who has not courage enough to follow him everywhere, and embrace that mode of worship which is the most sound and pure. He who chooses a religion, with a desire to procure all the high advantages which it promises, may, without injuring any one, reserve a right to himself to examine whether what it teaches be exactly conformable to the truth; and should he find it not to come up to the standard required for honest conviction, he has a perfect right to abandon it, if such be his wish or desire.

It does not follow from this, that those who enter any particular denomination of religious persons should have the privilege of absolutely doing everything according to their own whims and fancies. Whoever joins any such society should conform themselves to

its rules and doctrines. No body of men can subsist in a corporate capacity unless there be some kind of law and discipline among its members; and it is peculiarly incumbent on a school which professes to teach piety and virtue, to keep the privileges of liberty within the prescribed boundaries of honour and duty. A distinguished author says, "I would not have this misunderstood, as if I meant hereby to condemn all charitable admonitions and affectionate endeavours to reduce men from errors; which are indeed the greatest duty of a christian. Any one may employ as many exhortations and arguments as he pleases, towards promoting of another man's salvation. But all force and compulsion are to be forborne. Nothing is to be done imperiously. Nobody is obliged in that matter to yield obedience unto the admonitions or injunctions of another, further than he himself is persuaded. Every man in that has his supreme and absolute authority of judging for himself. And the reason is, because nobody else is concerned in it, nor can receive any prejudice from his conduct therein*."

"With the religious freedom of men, no pretensions or powers can warrantably intermeddle. Freedom of conscience is a hallowed inclosure; a sanctuary that ought not to be violated. Men, as moral and accountable agents, must be invested with freedom; their liberty, no less than their reasoning powers and their consciousness, is an essential element in their reponsibility. If they have to give an account to God for their opinions and actions they must be free to form the one, and to do the other. This is the basis of the divine government towards man, and the

* Locke.

foundation of all religion. Nothing can be a *reasonable service* to God except it be based on this principle.

Ecclesiastical power extends no further than that of giving counsel, exhortations, and peaceable instructions. When these have been all tried, and proved ineffective, then incorrigible members may be cut off from any religious community. This is all the punishment that can justly and reasonably be inflicted. If we transgress this limit, we go against nature and the true end and purposes of the theological union.

In a state of nature, that is, before laws and civil government were established, no man had any sovereign authority over the ideas his fellow-man might entertain on religious subjects. What right, then, have kings and princes over the consciences of their subjects? There is no colourable reason in giving the head of a state more power in religious matters than each person has in a state of nature.

The arguments for ecclesiastical and political authority, over matters of religious belief, are numerous, but we shall not formally enter into them, for they will come before us in other parts of this work. We shall, however, for the sake of method, enumerate the heads of a few of them.

" 1st,—The justice of authority, civil and sacred, for matters of faith and opinion, may be maintained from the consideration of the vital importance of salvation to those consciences which are constrained to it; and who think salvation is to be found but in the sacred books of scripture. 2nd,—A prince may not oblige us to submit to his own individual judgment, but to the

judgment of his public ministers of religion. 3rd,—The glory of the Almighty is offended and tarnished by errors and schism in theology. 4th,—Coercion in matters of opinion is justified by the foul and wicked nature of errors in religion. 5th,—The good that is done to those that err, by the adoption of compulsion, is greater than any evil that arises from the exercise of authority. 6th,—Ecclesiastical authority is requisite to correct and remove that blind obstinacy which is bound up in the hearts of those who fall into erroneous theories and systems. 7th,—Authority is involved in every person's declaration, that it is a part of his duty to maintain and disseminate the true religion. 8th,—There are laws in every community indispensably requisite to oblige men to practise virtue and abstain from vice, why not such laws restrain them in matters of religion? 9th,—It is evidently for the interests of the state, as an aggregate body, that religion should be placed under its protection and guidance. 10th,—Disputes and contentions about religion create innumerable troubles and disorders in the bosom of the church, where all should be harmony, and christian feeling. And 11th,—All idolatrous and gross superstitions should, at least, be extirpated from society, that true and rational religion may not be corrupted or damaged.

On the other great leading idea, which the majority of political writers of this epoch attempted to develope and illustrate, that is, the right of resistance, we shall make a few brief and general observations as to the prominent bearings of the entire question.

The abstract reasons for physical resistance to bad governments are very numerous, but we shall only

here point out the most obvious and striking. We may mention in the first place, that *there is a strong natural principle implanted in men's bosoms that induces them to resist oppression.* This is intended for the wisest purposes. If man were tamely to submit to every outrage inflicted upon him; if he were not to raise up the hand of resistance and rebellion against those who tyrannise over him, he would be the most wretched and pitiable creature in nature. To deny him this power, is to deny him that which the meanest animal possesses. Even the very worm turns against the foot that treads upon it. It is not necessary there should be any *reasoning process* here; *instinct* alone is quite sufficient to guide our movements and conduct under such circumstances. The feelings of anger and resentment not only prompt us to resist outrage, but also to inflict signal chastisement upon the aggressor. Why are we thus armed to protect ourselves, not only against sudden attacks, but also to lay down plans, and to take judicious precautions against future violences, so as to screen ourselves from the secret machinations of the malicious and revengeful? The reason is clearly pointed out. The great law of self-preservation is secured and maintained in all its healthful vigour, by this set of resentful feelings which are planted in our bosoms for the especial purpose of resistance.

A most beautiful provision is here made in man's social economy. Violence and resistance are the only antidotes against themselves. Men refrain from acting violently against you, because they know you are armed with the same weapon yourself, and have the same right to use it against them. The same prin-

ciple is carried into political society. We cannot see our most valuable rights trodden under foot, our most sacred privileges wrested from us, and every movement of life rendered tedious and irksome by the odious enactments of despotic power, without feeling our bosoms glow with indignation, and calling into requisition every power of limb, and arm, and tongue, and pen, we can possibly command. It is the knowledge of this power, which every man has a right to use, under certain limitations, which proves the only safeguard for civil society itself.

The dictates of natural justice sanction open and direct hostility to bad governments and rulers. It is a deep-rooted principle in our nature that all men should be honestly and fairly dealt with. A variety of manners, customs, opinions, and political institutions, may, and indeed do, make a considerable departure from perfect uniformity of judgment as to what is fair and honest; but still the general principle is sufficiently maintained for ordinary purposes of reasoning. If men in a civilised community appoint certain members of their body to fill public situations, ought not these rulers to be obedient to the general will? particularly when it is taken into consideration that this general body of men have alone that portion of *physical strength*, without which no laws, however good, wise, and beneficial, could ever be carried into operation at all. If the mass of the people see a small fraction of their body degrading, plundering, oppressing, and insulting the whole community, would not that mass be criminal in the highest degree to look indifferently and coolly on their own destruction? Rulers, under whatever name, are but servants of the

people; and would it not be a great anomaly to see the servant invested with absolute power of life and death over the master?

Another powerful argument for the right of resistance is derived from the consideration that tyranny and oppression are highly injurious to natural happiness and prosperity. This is amply borne out by the uniform testimony of history. A great violation of public rights is always followed by the degradation and misery of the people. All the better principles of men's nature become weakened and depraved; and everything that is calculated to improve, to elevate, and to exalt human nature, is thrown into the shade. The benevolent and kindly affections become weakened, both in individuals and bodies of men, and nothing but the most cold and heartless selfishness is witnessed in every movement of life. Truth becomes no longer respected; private and public morality are trampled under foot; and social and domestic happiness are destroyed. All nature groans under the pestiferous influence of oppression. No matter how great the natural advantages of a people; no matter how fertile the soil, genial the climate, and varied the productions; no matter how extended the territory, capacious the harbours, and commanding the frontiers; no matter how naturally excellent the mental capacity, the susceptibility of improvement, and the sterling courage and intrepidity of the community; if political tyranny sits like an incubus on the nation, that community will present, under every aspect, a most humiliating and degraded appearance, and must always be an object of pity and scorn. "Degenerated beyond recal, and polluted beyond hope, a people under this

influence sinks into remediless ruin; and only continues to exist until mercy is wearied out by their profligacy, and reluctantly gives the sign for vengeance to sweep them away."

"The whole class of public virtues, such as public spirit, heroic zeal, love of liberty, and the like, must be a dead letter if men have not the power of *open resistance* to profligate governments. Those virtues can have no scope for their exercise amongst a clan of savages, or a band of slaves under the whip of a master.

"The people are the fountain of all political authority and power; therefore, this must imply a right in the general body to call public servants to account for the trust reposed in them; to resist usurpations and extirpate oppression; to suspend, alter, or abrogate any particular laws, and punish the unfaithful and corrupt administrators of them. This is not only the duty of public bodies of men; but every individual member of the community, according to his station, influence, and power, ought to lend his willing and zealous support to this grand design.

"The usual argument urged against the doctrine of a *right of resistance* is, that it tends to make a people restless, disaffected, and rebellious. Now, this is grounded on a great fallacy. In the first place, nothing but disaffection and rebellion can possibly follow from unqualified despotism; therefore, the people are not placed in a *worse* condition by any supposed change. In the second place, it is a well known fact, grounded on the most extensive experience, that mankind, in the mass, are never inclined for physical opposition to any form of government, without there

be great and deep-rooted corruptions in it. Scarcely any single attack upon their liberties, however pointed, will rouse them into active resistance. It is only when they see a long train of abuses, and feel the heavy pressure of one act of tyranny after another, that they become alive to a sense of their danger, and see the necessity of placing the legislative power in such hands as will effectually secure them the benefits of good and just government. In the third point of view, it may be affirmed, that the right of resistance is the only security against *open rebellion and anarchy*. All tyranny and oppression are really and properly acts of *open rebellion*; because their natural tendency is to divert the legislative power of a country from the object it was founded to accomplish; *that of promoting the public good*. When legislators violate public principles of liberty, they are guilty of *open rebellion*; for the people at large can have no security for life or property, without the protection which these principles afford them. Such law-makers take away a power which none but the people can rightly exercise; and such law-makers set up their own authority in opposition to that of the people's, for whose intended benefit they were especially and solely appointed. Thus we see that the charge of rebellion may always be justly laid to the charge of those who, under the cloak of legislation, sap the foundations of public liberty, and expose the people to all the miseries of misrule and despotism.

It may be mentioned here, in conclusion, that amongst all the writers who have adopted and defended the doctrine of *passive obedience* and *non-resistance*, there is not one who goes the whole length

of his own principles. Every one stops short somewhere; and seems shocked at the obvious conclusions which follow from his own principles. This circumstance is, in itself, a most conclusive argument for the unsoundness and outrageous nature of such doctrines; and that they are never adopted but for the purpose of giving a plausible colouring to what cannot in justice and reason be defended.

We come now to the most important point in this question of the Right to Resistance, namely, *what circumstances, or what acts of tyranny and oppression can justify open resistance?*

It must be obvious to every reader possessed of common sense and reflection, that a direct and pointed answer cannot, from the nature of things, be given to the question. It is like all matters appertaining to human life and human character, not susceptible of an invariable and positive answer, but must depend on various circumstances, events, and consequences, which require to be well known and duly weighed in the minds of men. The question of resistance to corrupt and unjust governments is precisely of the same nature as the resistance to private injury or wrong. Were we asked what was the exact portion of insult or injustice we should bear towards ourselves personally before we should be justified in taking any measures for open resistance; we should be as much puzzled in laying down an infallible rule in this case as when called on to point out the exact limits of a nation's forbearance towards its oppressors or tyrants. It must always be with a nation as with individuals; the question must be settled by the *feelings* and *judgments* of the parties interested, and the circumstances in

which both may be placed. There never can be any subject for guiding us to right conclusions on this *universal* or *infallible rule;* but there may be *general rules,* and some of these we shall now briefly notice.

First, we maintain that a people are fully justified in resisting their rulers, when these rulers no longer attend to the grand object of civil government, *that of promoting the happiness of the great mass of the nation.* Here the obvious principles of natural justice must guide our decisions and conduct. If the people, who constitute the community, have chosen men to fill important offices of trust for the benefit of the whole; if the people possess that physical force which alone can give these public officers power to influence their laws and regulations; if the people, instead of being protected, see themselves degraded, plundered, oppressed, and maltreated, and every principle of civil right violated with impunity; then, in this case, we say, that the people are morally and religiously bound to concentrate their efforts, to make common cause against the odious tyranny, and to endeavour, by their united knowledge and labours, to erect a better social fabric than the one they have. The course which it is incumbent and reasonable for a nation to follow towards its rulers is precisely the same which all men of sane minds follow in the ordinary concerns of human life. When servants either *cannot* or *will not* do the work for which they were engaged, we remove them and make other arrangements; but we never, for a single moment, conceive we are acting violently or unjustly in such a case. Just so is it with *public servants.* No matter how distinguished by birth, or knowledge, or civil dignities, if they give evident indications that

the *public weal* forms no object of their esteem or attachment, then the people are bound to take their affairs into their own hands. These circumstances are just such as were contemplated by Judge Blackstone, when he said, they formed the just reasons for "those extraordinary recourses to first principles which are necessary when the contracts of society are in danger of dissolution, and the law proves too weak a defence against the violence of fraud or oppression. *Resistance is justifiable* to the person of the prince when the being of the state is endangered, and the public voice proclaims such resistance necessary. Indeed, it is found by experience, that whenever the unconstitutional oppressions, even of the sovereign power, advance with gigantic strides and threaten dissolution to a state, mankind will not be reasoned out of the feelings of humanity; nor will they sacrifice their liberty by a scrupulous adherence to those political maxims which were originally established to preserve it."

"Secondly, *public expediency* demands we should resist oppression. This forms a matter for judgment and calculation. The advantages and disadvantages of resistance must be carefully balanced and estimated, in order that the great object be attained—*the public good.* It must appear obvious to all, that mere trifling matters of wrong cannot justify open resistance. The bad effects of tyranny must be clear and numerous. Mr. Locke observes, "Whenever the legislators endeavour to take away and destroy the *property of the people*, or to reduce them to slavery under *arbitrary power*, they put themselves into a state of war with the people, who are therefore *absolved from any further obedience*, and are left to the common refuge which

God hath provided for all men against force and violence."

"Another condition to justify resistance is, *that we see no other method of relief from oppression.* This, too, must be a matter for grave consideration; and many circumstances must be duly weighed before a sound conclusion can be come to. History, however, clearly teaches that it has very seldom happened that political tyranny has ever been overthrown by gentle and persuasive means. It is the nature of civil corruptions to perpetuate themselves. "To abandon," says Dr. Robertson, "usurped power, to renounce lucrative error, are sacrifices which the virtue of *individuals* has, on some occasions, offered to truth; but from any *society* of men no such effect can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them."

"The last rule to justify resistance we shall allude to is, *that there ought always to be a rational prospect of success.* This is indispensably necessary. We may plead that we have justice, and expediency, and humanity on our side; but still we must make accurate calculations as to the chances of success. It is the bounded duty of all true patriots not to throw away heroism and valour upon rash or ill-concerted plans of resistance. But, at the same time, we know that it is perfectly agreeable to the ordinary course of nature, that many *apparently* fruitless attempts at resistance must take place in every country struggling for its freedom, before that freedom can be finally achieved.

"As it is an inalienable right, from the very constitution of things, that a nation should have the power to form a constitution, and to appoint suitable persons to carry its provisions into operation; so it is equally a right, upon the same grounds, that the community at large should possess the power to revise and amend their system of civil polity whenever they think proper to do so. If human plans of government were originally perfect, and man himself invested with absolute rectitude, this right would not need be insisted on; but as everything human is more or less imperfect, the obligation to strive for the greatest possible good becomes imperative upon all men in a state of society. Some writers plainly tell us that when a political compact is once formed, entered into, and brought into operation, it ought not to be altered or disturbed in any way whatever. Such an opinion is the most absurd imaginable. It lays the axe to the root of all rational government. If you have not an inherent right to change or amend a government, of whatever description it may be, it is only, in other words, to maintain the doctrine of Divine right or usurpation. There is here no middle or qualified course to steer. The *principle* of the right of interference must be taken in all its fulness or rejected at once. It has been justly remarked by a political writer of considerable distinction, that "men are destined to improve on their lot, and on their first inventions, and no more acquiesce in the first defective forms of society than they do in the first practice of any mechanical art. We state the condition of rude society as the material on which the genius of man is to work, not as a finished production with which he is for ever to remain contented."

Such vital questions as we have just glanced at, were the burden of a great part of the political literature, published from the commencement of the Reformation till the settlement of the House of Hanover on the British throne. These questions were severally handled and discussed by men of the greatest talent and genius; and their writings, on the whole, have certainly proved highly instrumental in the promotion of enlightened and liberal opinions on governments generally; though many of them had to bear the charge of sedition brought against them, and even of blasphemy itself.

When the revival of letters in Europe took place, and the Greek and Roman writers became the constant companions of the learned, a new element was thrown into political speculation; and a more elevated standard of political right and wrong was erected for the guidance of public opinion. A wider range of history was exhibited before men's minds, and they discovered from its pages, that injustice and cruelty, and freedom and happiness, were not merely ideal things; but responded to by the deeply-rooted feelings of mankind, in all ages of the world. The ancient writings abounded with numerous examples, where arbitrary power was crushed, and popular institutions founded on its ruins; and these examples were set forth with all the glowing ornaments and impassioned feelings of true poetry and eloquence. When, therefore, the classical works of antiquity became the daily manuals in the hands of every professor of a college, and the elementary food of his numerous and ardent pupils, it is easy to perceive that all political questions of a purely abstract nature, would be viewed through a novel and interesting medium.

Cosmo de Medici came into power in Florence about the year 1420. He was an ardent admirer of Grecian literature, and was highly instrumental in obtaining complete copies of the works of Aristotle and Plato, two of the chief political speculators, whose writings have survived the ravages of bygone ages. Cosmo sent parties to Constantinople in search of Greek manuscripts. In 1423, all the works of Plato, Proclus, Plotinus, Xenophon, and others, were obtained, and great was the joy and excitement throughout all the seminaries of learning in Europe, at this happy event. Italy took the lead in discussing the merits of the Grecian sages. Gemistus Pletho, Marsilius Ficino, Cardinal Bassarion and others arraigned themselves on the side of Plato, and his philosophy generally; while Theodore Gaza and George Trebisond stood boldly forward in defence of the doctrines and opinions of Aristotle. A fierce intellectual conflict was the consequence. And though no small portion of the violent controversies of the times hinged more upon the direct and general bearings of mental philosophy and its kindred studies, yet the principles of politics, taken in their widest range, were occasionally discussed and developed, with a minuteness and acumen never before witnessed in the seats of European learning and science. The ancient systems of polity were examined and commented upon from various and opposite points of view; and opinions in favour of the great importance of this branch of knowledge to the permanent interests of mankind, were gradually, year by year, extending themselves throughout the great body of thinking men of the age, whether lay or clerical. The just notions entertained by Lorenzo de Medici, grandson of Cosmo, on the abstract and funda-

mental principles of legislation and government, were likewise eminently influential in not only extending the liberties of the republic of Florence, but in influencing the general current of European thought on the subject. Lorenzo was a passionate admirer of Plato's republic, and his views of the nature and offices of law, in its philosophical bearings. This is obvious from his celebrated "Altercazione," a poem explanatory of the leading doctrines of Platonic speculation.

We can scarcely expect to find that the majority of those philosophers and scholars of Italy, who figured at the revival of letters, and were enraptured with Grecian studies, should present us with bright examples of liberal opinions carried out into practical life. Theory and practice are often at variance, and we have frequently the great mortification to witness the surprising discrepancies between a man's abstract principles and his every-day conduct. Here and there we find among the ardent spirits of Italy, bold doctrines propounded, and novel schemes of policy entertained; but there always seemed a sufficient power at hand to check their growth and extension among the community at large. Lorenzo de Medici, himself, indulged in the most extravagant exultation when his son, only seven years of age, was made a cardinal; and Bembo and Sadoleti subscribed with their own hand the most despotic and unprincipled edicts from the court of Rome, aiming at the entire extinction of liberal and enlightened sentiments of public freedom among mankind.

Thus we see that old institutions and antiquated ideas fell rapidly in this era of keen political inquiry

into neglect and disuetude. For many centuries there were certain clear, distinct, and definite conceptions of the nature and offices of all governments; but these became, one by one, matters of doubt; they were analysed and examined on every side, and were ultimately repudiated and proscribed as inimical to human reason and the interests of society. This ushered in a strange period—strange both as to politics and social life. The strongholds of power were attacked by skilful writers and profound thinkers at various points; and those political alliances and hereditary organisations, which had governed men for many centuries, were riven asunder, and an epoch, marked by transition, bold speculation, and revolution, ensued. New creeds of polity were framed, full of the elements of change. These creeds became the centres of political life, and the fundamental axioms of dynastic rights, and new charters of liberty and independence. The novel elements of speculation penetrated into every corner of the social fabric; and new combinations of ideas, and corresponding innovations of language, were required by politicians to express and represent the changes. A political fraternity entered into the arena of legislation. Convictions of the soundness of some spiritual idea, some first principle, some definite creed, were indispensable for calling into activity the public mind and spirit of a nation. This ardour for inquiry was all dominant. It triumphed over every obstacle. It manifested its power by small beginnings; but it soon took hold of the public mind of Europe, and fertilised, more or less, every part of it. Like some noble river, clear and pellucid at its source, that winds its devious course through various tracks—now pausing

on its pebbly bed, now shooting arrow-like along—now widening and swelling into deep lake-like pools—now bearing down everything before it—till at last it pours its full volume of waters into the great ocean itself. Thus it was that writers on politics were gradually led to take a bolder position on the platform of public opinion, and to advocate systems of government, more simple and efficient in their principles, than the older elements of the Roman and middle age civilisation presented.

Hence it is, that this era we have now entered upon is that in which political party-writing took its rise, and became more distinctly and minutely shadowed forth. Parties there have always been in every age and state, and ever must be, from the constitution of human nature; but in modern times they have assumed a different aspect from what they did when sheer brute force and mental depression were their chief causes and supports. As ideas of government became more generally and better understood, and their various influences on the several grades of society were more accurately and systematically traced, public opinion became divided, and partial and limited views of state polity, and the principles which regulate social intercourse, were adopted by writers and thinkers in every country in Europe. There was more national and local individuality given to their speculations. Political discussions flowed into particular channels. This gave rise to great parties in every state; the aggregate of those national ideas and volitions which have given decided tendencies towards certain fixed principles of action, and particular modes of government. Writers were guided by certain class

ideas—often but obscurely defined, and unsteadily adhered to—and these served as rallying points of argument, and party distinctions. All agitation, all movement, ranged itself under some common notion, or abstract conception; and though the sphere of political knowledge was, by this means, vastly extended, it also, in some degree, lost its concentrated unity and power.

Party writers and philosophers on politics, may be arranged, setting aside their less prominent characteristics, under two great divisions; the one under the influence of progressive change and improvement, and the other of a stationary or conservative cast. These two orders of writers and thinkers can be traced in the political literature of every country, though not existing under any specific or assumed form. Their antagonistic ideas can be distinctly recognised. Though their reasonings and aims are varied by the outward circumstances under which both classes lived, nevertheless the respective distinctions by which each class is known, are essentially the same. The progressive order or school adopts and acts upon the maxim, that there is a principle of development in human society, and in the intellectual constitution of man; and that the machine of government can be so adjusted as to derive great additional power and facility in its movements, by adapting itself to this innate tendency of human nature towards improvement. It would regulate itself to a people's advancement in knowledge, and the ever-changing habits of social life. This coalition is, in fact, indispensable to the real advancement of nations. It is the germinating power—the parent of great ideas and liberal sentiments. The

retarding or conservative policy though it does not absolutely deny the existence of this aptitude to civil improvement, nevertheless treats it as a matter not to be taken into account, when discussing the vital interests of society. It generally sets itself, therefore, against innovations, both speculative and practical. Whatever is, is here right. To alter, to improve, to change, is not its character. Yet the leading idea on which the conservative class of political writers act, is a great idea, and is of vital importance to all societies; inasmuch, as it imparts to the judgments and habits of a nation, permanency, fixity of purpose, and a sustaining and enduring power.

These two opposing powers, under which the general run of political writers may be classified, must necessarily exist at all times, under whatever form accidental circumstances may impart to them. Sometimes the one predominates for a series of years, and sometimes the other; and the degree of vitality which each may exhibit for the time being, marks the particular cast of political opinions and sentiments which then prevailed in any country. When the leading idea, either of a conservative or progressive cast, gets worn out, some slight national shock or movement will throw them into the shade; and then something else, having the *prestige* of novelty, will seize hold of the public mind, and engross it for, probably, an equal length of time, with more or less intensity. But an essential difference soon begins to distinguish itself in the two antagonistic principles. The progressive outlives the other. All history is confirmatory of this fact. The conservative may retard, but cannot permanently arrest the march of improvement and change.

There is but one mode of standing still, but many in moving forward. All political writers who have been in advance of their age, have been the most distinguished and popular; and have their names emblazoned with a more vivid halo of glory than those of their rivals. Conservative writers, though often a most valuable and seasonable check upon the too rapid desire for innovation, have but one idea. It is a unity of itself. Progression, on the other hand, involves a great diversity of ideas. It is a congeries of plans, rather than a single design; including as many aspects as their are phases in the human intellect.

This period of the history of political writings was not only that in which party-spirit was more distinctly formed and developed; but that in which political science itself, as a totality, became split up into various sections or divisions, which were often individually prosecuted with great ardour and success, and each laid claim to an independent status and character in the *role* of philosophical inquiry. The principle of the mechanical distribution of labour was here examplyfied, and its application was made subservient to the extension of particular departments of political speculation. This was, in many respects, a great advantage; for, by enabling individual minds to cultivate their respective lines of investigation with undivided attention, the writings of politicians became more diversified and interesting. But this turn given to abstract inquiry was not without its inconveniencies and drawbacks. As these separate topics of investigation were hewn out of the entire body of the science, it too often happened that their individual interest overtopped the interest which politicians

should have felt in the whole science; and, consequently, this one-sided view often led to erroneous and partial estimations of the great end of all political knowledge and science. The isolated and the individual were identified with the comprehensive and the general. The more that polity became divided into sections of independent inquiry, and were taken up by different classes of writers, the more the public attention was bewildered, and driven aside from abstract principles and general results. This increase of matters of detail became too unwieldy for the writers of political science generally to manage. Modern legislation, in every country of Europe, and particularly in our own, can furnish innumerable examples of the pernicious effects arising from this want of union between the abstract and the particular—the scientific and the practical.

The art of Printing came into general use, between the years 1460, and 1500, in most of the countries of Europe. The art took its rise in Germany; and the first book printed from moveable wooden types made its appearance about the year 1450. It is unnecessary to dwell upon the manifold advantages that have accrued to political literature and science, from this important invention. They are patent to every reflecting mind, and acknowledged by every nation. They have secured the world from any retrogade movement, either in reference to political information or general knowledge; and are, year by year, more fully developing themselves for the best interests of mankind.

In addition to the three principal causes of political progression, the Reformation, the Revival of Letters, and the Art of Printing, there was a fourth of nearly equal

efficiency, namely, the extension of geographical knowledge. The discovery of America, and the trading expeditions to India, opened up a wide field for the enterprise of the more bold and resolute spirits of the old societies of Europe. Boundless regions, rich with all the elements of wealth, were subjected to new modes of government, and new rules and maxims of civil law and jurisprudence. After the discovery of these great parts of the globe, the spiritual idea, if we may so call it, embodied in all true political philosophy, became overlaid by the material interests and opinions of governments. This idea was forcibly made to play a subordinate part in the great business of life. Now began to flow the vast tide of physical knowledge, interests, and pursuits, which sometimes submerged, and always augmented the difficulties of social problems. Still these material agents produced in the long run substantial benefits, by furnishing many additional requisites to man's comfort and progress. The peopling of extensive territories with a moral and intellectual race of men, impelled an increase of mechanical skill and appliances, which directly placed the industrious man in a state of comparative independence and freedom.

The section of time we are now upon the point of examining, is likewise characterised by the great influence which historical writing exercised over political speculations and discussions. This was a new element thrown into society. History here puts forth its claim to teach the politician from the past to the future; both as to purely abstract principles, and practical statemanship. The philosophical spirit which historians imbibed, opened up fresh views of social

relations, and vastly extended the mental horizon of public men and legislators. Historical details became more closely allied to important topics of reflection; and the methods of studying national annals were both multiplied and perfected, towards the more general extension of sound knowledge.

History, being thus made subservient to the science of government, widened the field of observation, and became a wholesome corrective to political information. It unfolded the active and stirring principles of congregated numbers. Here a social confederacy was scanned and criticised; and its wants, its passions, and its aspirations, became the topics of earnest and steady contemplation. The eyes of thinking men were drawn from the consideration of the remote principles of the individual and inward man, to those of the multitude; how they act in war, in trade, in civil commotions and contests; and under the influence of progressive power, riches, and distinction. The materials for reflection are here so numerous, that a boundless range is allowed for remark and observation. Knowledge is carried forward from one nation to another: and the philosopher's information respecting the past transactions of states and communities, is gradually systematised and tested for the benefit of succeeding reasoners and public writers. History, politically considered, developes the orderly affairs of national progression, and seeks for the causes of phenomena from the wants, ideas, passions, and general intelligence of a people. It draws the minds of men from incidental and minor matters; and shows that the permanent and valuable institutions of every country, may be attributed to the constant and regular influence of general laws, and

not to causes of a purely accidental or personal character. It takes the political reasoner by the hand, and shows him the mixed nature of human principles and actions;—the good and the evil;—the salutary and the pernicious;—and tells him to sift and inquire for himself, among the complicated mass around him; and likewise deeply impresses on his mind, that it is only by the most careful and patient induction, that he can arrive at valuable and lasting truths. He will be taught to classify and arrange;—to separate the general and universal, from the casual and incidental; and to give that scientific precision to his thoughts, in which all true wisdom chiefly consists.

The advantages which history confers upon political science, by the modern mode of treating of facts and events, are not, however, without their drawback. History, to be really usefully applied, must be free from the hasty and injudicious applications of authority and precedent. The mind is perpetually liable to be influenced by false or imperfect analogies. We see this displayed in every stage of political writing and discussion. Some individual and striking circumstance is laid hold of to explain and determine the nature of every movement in society, without taking into consideration that there are scarcely ever two cases alike; certainly, never two phases of human institutions that are not associated with material differences in their characters and formation. Historical facts are all susceptible of various interpretations, and they influence the line of general argument at numerous divergent and angular points. They are ever liable to be interpreted not upon their own intrinsic merits, but in accordance with some preconceived, or partially deve-

loped, theory of general polity. To make historical details really valuable for the ground-work of political maxims, we must look beyond the particular; beyond heroes, and legislators, and monarchs, and conquerors, all of whom often stand out in bold relief in the pages of the historian; and, by patient study, direct the mind's eye to those general and disconnected events which distant times may have thrown around all such prominent actors on the world's theatre. In every stage of political literature we shall see innumerable instances of errors arising from the want of attending to such precautions.

To chronicle, for the use of succeeding ages, the progress, and the great movements of social existence, as exampled by the political writings of civilised nations, requires, therefore, great care, and scrupulous accuracy in giving every series of facts that just proportion of interest which they legitimately demand. The historian's mind should be as free as possible from prejudice, party feeling, critical rancour, and whimsical crotchets. He ought neither to warp or resist evidence, to bolster up any personal fancy or unworthy purpose. He should keep a watchful eye upon all the conclusions of his own judgment; and to take especial care that he gives to all who have essentially assisted to rear the great fabric of political science in every age and country, that due portion of attention and commendation to which they are fairly and justly entitled.

Before closing these preliminary observations, we shall offer a word or two by way of summary, relative to the general external condition of the world, at the moment of history from whence we now take our departure. The early and middle ages were LOW thrown

into the background, and an entirely changed aspect of public affairs was to be ushered in. America was undiscovered; the hidden treasures of Mexico and Peru undreamed of. The Moors still retained possession of the most valuable portion of Spain. The Hanseatic League was in the fulness of its strength, but showed incipient signs of decline. The Russian empire was then, like the great Sahara of Africa now, a land unknown and untrodden by civilised man. The Prussian States, as now constituted, were only looming in the distance. Poland was strong and powerful; and Hungary the outward bulwark of Christendom. Constantinople, though tottering at its base, was still in the hands of the Greeks. Henry V. was king of England, and a part of France belonged to his crown. The bloody struggles and contests between the Houses of York and Lancaster had not commenced. The old Norman nobility were still powerful vassals of the king, and displayed all their feudal power and grandeur. The commercial and manufacturing cities of Holland and Belgium were in full vigour; enjoying, to the utmost extent, their somewhat rude and general freedom; and the republics of Italy monopolised all the trade of India and the East. At the head of these was Venice—the Queen and City of Waters—with her unbounded commerce and wealth, and her mysterious government; a city, which our great bard of Avon thus describes:—

> "Your mind is tossing on the ocean;
> There, where your argosies with portly sail,
> Like signiors, and rich burghers of the flood,
> Or, as it were, the pageants of the sea,
> Do over-peer the petty traffickers
> That curt'sy to them, do them reverence,
> As they fly by them with their woven wings."

Such was the general aspect of the world at the commencement of the series of sketches we are now about to offer on the writings of the great expounders of European politics; writings which contain principles never to be effaced from the minds of mankind to the end of time.

CHAPTER II.

POLITICAL LITERATURE OF GREAT BRITAIN, FROM 1400 TILL THE YEAR 1700.

SECTION I.

From Henry V. to the termination of the reign of Elizabeth.

FROM the commencement of the fifteenth to the termination of the seventeenth century, the political literature of Great Britain is particularly interesting; interesting on account of its intrinsic merits as a development of the entire science of politics; and interesting on account of the fearful struggles it had to make, and the personal sacrifices it demanded from its expounders. When we cast a retrospective glance over this portion of our national history, and contrast it with subsequent periods of it, it presents a stern and gloomy aspect. Every general principle was contested in the midst of blood and suffering; men having often to contend against error and oppression, with the pen in one hand and the sword in the other. Every step of this literary progress calls forth the most thrilling emotions; and pointedly shows what a deep and absorbing interest the love of truth can

exercise over the noblest and most highly gifted intellects. Such a fact conveys an impressive lesson to all succeeding ages.

From the reign of Henry IV. to Henry VIII., commencing in 1399 and extending to 1509, there were no political works of a scientific class produced in England worthy of much notice. In the chief seats of education, general polity was sometimes dwelt upon; but what was here publicly taught, or published in written class-books, was chiefly borrowed from the stores of the scholastic writers of preceding times; and consisted of illustrations of a few maxims of civil law, remarks on the ancient systems of government in Greece and Rome, and some incidental notice of the politics of the Saxon and Norman dynasties.

A popular political feeling began, however, to manifest itself in England soon after the commencement of the fifteenth century. English books began to be written, particularly against the Roman hierarchy. There was one publication, called "The Lantern of Light," (1415) which excited much attention. It represented the pope as antichrist, and maintained the papal decrees were of no authority or force. It represented the archbishops and bishops as the seats of the great beast in the Revelations, who sat and governed despotically. The Roman courts were his head, the mass of the clergy his body, and the friars, monks, and canons, his tail. The work enforces the great truth, that the christian laity were maltreated and persecuted from two principal sources—the excess of temporal power in the hands of the church, and the system of begging among the friars. This work, it is said, was found in the house of a feltmonger, plainly

written in English, and neatly bound in red leather. The person who had it could not read, but had it read to him; and so wedded was he to the truths it contained, that he suffered a confinement in Conway Castle for two years, and in the Fleet prison other three years, rather than abandon his creed. Wickliff's tracts, belonging to Sir John Oldcastle, were seized in 1413, in Paternoster Row, and taken to Henry V., at Kensington Palace, who, after reading a few pages of them, expressed his horror at the doctrines they contained. There was another work of much the same character, found at Coventry; and, indeed, works of this description became so common, that the public authorities, when persons were arrested, invariably asked them, "whether they ever had in their houses or custody any books *written in English*?"

There were several learned men opposed the reform doctrines, promulgated by Wickliffe and his followers. The chief of these were Thomas Ashburn, Bankins, an eloquent Dominican friar, Richard Maydesley, and William Woodford. And, in addition to these individual efforts to repress a political change of opinion, the University of Oxford, appointed twelve magisters to examine the works of Wickliffe; and in 1412, decided that there were two hundred and sixty-seven erroneous and heretical conclusions in them, all of which were "*guilty of fire.*"

Thomas Netter, of Waldon, was the most able and systematic writer on the ecclesiastical and civil claims of the papacy. His work is called "Doctrinale," &c., in three volumes folio; and has often been reprinted since, at Paris, Salamanca, and Venice.

Political authorship, was at this period, a perilous

occupation. In 1418, it was enacted that all judges, justices of the peace, sheriffs, mayors, bailiffs, and all who had any share in the administration of the laws, should search after, and labour diligently in apprehending, all persons convicted of heresies, and particularly of having in their possession, *books written in English.* These offences were not unfrequently punished by death*. In addition to law, ridicule was employed to repress the spirit of reformation; and the metrical verses against the Lollards show how earnestly and zealously the government of the day, entered into repressive schemes for the suppression of public opinion. In one of these ballads we have the following sentiments:—

"For Holy writ beith witness,
He that false is to his king,
That shameful death and hard distress
Shall be his doom at his ending.
Then *double death* for such *lollyng*
Is heavy when we shall heav'n eye,
Now, Lord, that madest of nought all things,
Defend us from all lollardie†."

Sir John Fortesque.—The works of Sir John Fortesque are well entitled to the particular attention of the politician. The author was a principal councillor in the court of Henry IV.; and for his devotion to that monarch he was attainted by the parliament under Edward IV. In the year 1463 he fled to Flanders, were he wrote his famous book, "De Laudibus Legum Angliæ." The work is in the form of letters to a prince. His object is to show the prince the great superiority of the English laws over those of other

* See Wilkin's Concilia, vol. 3. † Cotton Library, b. 16.

countries; and he furnishes a test of this, by pointing out the superior manner in which the common people lived in England, compared with persons in a similar situation in France.

Sir John was the author of another work of a more abstract nature; namely, "The Difference between an Absolute and a Limited Monarchy." He enters very fully into the nature of absolute power; showing its withering and blighting influence on social happiness; and endeavours to prove that true and rational freedom can be obtained from a limited and constitutional monarchy, with more certainty and steadiness, than from any other mode or form of government. In the third chapter, will be found a very lengthened description between the French and English mode of living, a part of which we have mentioned in a previous volume of this work.

When, however, the reign of Henry VIII. had advanced a few years, the doctrines of the Protestant reformation in Germany, made their way to Britain, and the king, for various reasons which the histories of the times detail, opposed the tenets of Luther with might and main. The monarch actually wrote and published a book in opposition to the new reformed notions, which obtained for him the title from the Pope, "*Defender of the Faith.*" But personal circumstances soon made the zealous king one of the most redoubtable enemies of the Church of Rome. Of the various incidents, and the important public consequences which resulted from this quarrel between Henry and the Papal See, we shall take no further notice, as they lie beyond the sphere of strict politics, and properly belong to the department of regular history.

Thus it was that, up to the reign of Henry VIII., the science of politics, with the exception of Lord Fortesque's work, formed but a very insignificant portion of English literature. Not but that there were many valuable principles of polity, many theoretical notions of general government, and many profound observations on what constitute the true strength and happiness of nations, scattered up and down among the mass of our legal and speculative knowledge; but as yet no method nor order was imparted to these political elements. The nature and tendency of all the social and governmental institutions of our country, as well as the general bent of men's minds, were decidedly against the discussion and elaborate investigation of abstract principles of politics. Everything was local, temporary, national and divided. Men were not yet accustomed to throw their eyes beyond the limited horizon of their own individual sphere, or wander beyond what most immediately concerned their own comfort, security, and interest.

It is requisite to observe here, that the public press gained little strength for many years after its first introduction into England. The government of the day viewed it with great jealousy and distrust. Henry VIII. kept it in check, and limited its exercise to the production of bibles, prayer-books, and controversial tracts against the Catholic faith. In the following reign of Queen Mary, the printing of books was confined to a privileged company, regulated by stringent rules, and placed under the direct authority and control of the Star Chamber.

As an illustration of the spirit of the times, relative to the value of book-learning, and general information

on public matters, we shall insert a proclamation from Harry, on the subject. It is both amusing and instructive.

A PROCLAMATION.

..... nse Junii Anno regni metuendissimi Domini nostri Regis Henrici Octavi xxij.

A PROCLAMATION, made and divysed by the Kyngis Highnes, with the advise of His Honorable Counsaile, for dampning of erronious bokes and heresies, and prohibitinge the havinge of Holy Scripture translated into the vulgar tongues of englische, frenche, or duche, in suche maner as within this proclamation is expressed.

The Kinge, oure most dradde soveraigne lorde, studienge and providynge dayly for the weale, benefite, and honour of this his most [n]oble realme, well and evidently perceiveth, that partly through the malicious suggestion of our gostly enemy, partly by the yvell and perverse inclination and sedicious disposition of sundry persons, divers heresies and erronio[us] [o]pinions have ben late sowen and spredde amonge his subjectes of this his said realme, by blasphemous and pestiferous englishe bokes, printed in other regions and sent into this realme, to the entent as well to perverte and withdrawe the people from the catholike and true fayth of Christe, as also to stirre and incense them to sedition and disobedience agaynst their princes, soveraignes, and heedes, as also to cause them to contempne and neglect all good lawes, customes, and vertuous maners, to the final subversion and desolacion of this noble realme, if they myght have prevayled (which God forbyd) in theyr most cursed [p]ersuasions

and malicious purposes, where upon the kynges hignes *(sic)*, by his incomparable wysedome, forseinge and most prudently considerynge, hath invited and called to hym the primates of this his gracis realme, and also a sufficient nombre of discrete, vertuous, and well-lerned personages in divinite, as well of either of the universities, Oxforde and Cambrige, as also hath chosen and taken out of other parties of his realme; gyvinge unto them libertie to speke and declare playnly their advises, judgmentes, and determinations, concernynge as well the approbation or rejectynge of suche bokes as be in parte suspected, as also the admission and divulgation of Olde and Newe Testament translated into englishe. Wher upon his highnes, in his owne royall person, callynge to hym the said primates and divines, hath seriously and depely, with great leisure and longe deliberation, cõsulted, dẽbated, inserched, and discussed the premisses: and finally, by all their free assentes, consentes, and agrementes, concluded, resolved, and determyned, that these bokes ensuynge, that is to say, the boke entitled the wicked Mammona, the boke named the Obedience of a Christen Man, the Supplication of Beggars, and the boke called the Revelation of Antichrist, the Summary of Scripture, and divers other bokes made in the englisshe tonge, and imprinted beyond y^e^ see, do conteyne in them pestiferous errours and blasphemies; and for that cause, shall hensforth be reputed and taken of all men, for bokes of heresie, and worthy to be dampned and put in perpetuall oblivion. The kingis said highnes therfore straitly chargeth and commandeth, all and every his subjectes, of what astate or condition so ever he or they be, as they wyll avoyde his high indigna-

cion and most grevous displeasure, that they from hensforth do not bye, receyve, or have, any of the bokes before named, or any other boke, beinge in the englisshe tonge, and printed beyonde the see, of what matter so ever it be, or any copie written, drawen out of the same, or the same bokes in the frenche or duche tonge. And to the entent that his highnes wylbe asserteyned, what nombre of the said erronious bokes shal be founde from tyme to tyme within this his realme, his highnes therfore chargeth and commaundeth, that all and every person or persones, whiche hath or herafter shall have, any boke or bokes in the englisshe tonge, printed beyond the see, as is afore written, or any of the sayde erronious bokes in the frenche or duche tonge: that he or they, within fyftene dayes nexte after the publisshynge of this present proclamation, do actually delyver or sende the same bokes and every of them to the bisshop of the diocese, wherin he or they dwelleth, or to his commissary, or els before good testimonie, to theyr curate or parisshe preest, to be presented by the same curate or parisshe preest to the sayd bisshop or his commissary. And so doynge, his highnes frely pardoneth and acquiteth them, and every of them, of all penalties, forfaitures, and paynes, wherin they have incurred or fallen, by reason of any statute, acte, ordinaunce, or proclamation before this tyme made, concernynge any offence or transgression by them commytted or done, by or for the kepynge or holdynge of the sayde bokes.

Forseen and provided alwayes, that they from hensforth truely do observe, kepe, and obey this his present gracis proclamation and commaundement. Also his highnes commaundeth all mayres, sheriffes, bail-

liffes, constables, bursholders, and other officers and ministers within this his realme, that if they shall happen by any meanes or wayes to knowe that any person or persons do herafter bye, receyve, have or deteyne any of the sayde erronious bokes, printed or written anywhere, or any other bokes in englisshe tonge printed beyonde the see, or the saide erronious bokes printed or written in the french or duche tonge, contrarie to this present proclamation, that they beinge therof well assured, do immediatly attache the saide person or persons, and brynge hym or them to the kynges highnes and his most honorable counsayle; where they shalbe corrected and punisshed for theyre contempte and disobedience, to the terrible example of other lyke transgressours.

Moreover his highnes commaundeth, that no maner of person or persons take upon hym or them to printe any boke or bokes in englisshe tonge, concernynge holy scripture, not before this tyme printed within this his realme, untyll suche tyme as the same boke or bokes be examyned and approved by the ordinary of the diocese where the said bokes shalbe printed: And that the printer therof, upon every of the sayde boke beinge so examyned, do sette the name of the examynour or examynours, with also his owne name, upon the saide bokes, as he will answere to the kynges highnes at his uttermoste peryll.

And farthermore, for as moche as it is come to the herynge of our sayde soveraigne lorde the kynge, that reporte is made by dyvers and many of his subjectes, that it were to all men not onely expedyent, but also necessarye, to have in the englisshe tonge both the newe testament and the olde, and that his highnes,

his noble men, and prelates, were bounden to suffre them so to have it: His highnes hath therfore semblably there upon consulted with the sayde primates . . . . . discrete, and well lerned personages in divinite forsayde, and by them all it is thought, that it is not necessary th . . . . . to be in the englisshe tonge, and in the handes of the commen people; but that the distrib . . . the said scripture . . . denyenge therof dependeth onely upon the discretion of the superiours, as . . . . . to the malignite of this present tyme, with the inclination of the people to erroni . . . . . the olde in to the vulgare tonge of englysshe, shulde rather be the occasyon of . . . . . people, than any benefyte or commodite to warde the weale of their soules. And . . . . . e have the holy scripture expounced to them by preachers in theyr sermons, ac . . . . . this tyme, All be it if it shall here after appere to the kynges highnes, that his sa . . . . . rse, erronious, and sedicious opinyons, with the newe testament and the olde, corrup . . . . . ge in printe: And that the same bokes and all other bokes of heresye, as well . . . termynate and exiled out of this realme of Englande for ever: his highnes e . . . . . great lerned and catholyke persones, translated in to the englisshe tonge, if it sha[ll] then seme t . . . conv . . . . his highnes at this tyme, by the hoole advise and full determination of all the said primates, and . . . discrete and subs . . . lerned personages of both universities, and other before expressed, and by the assent of his nobles and others of his moste hon[orab]le Counsayle, wylleth and straytly commaundeth, that all and every person and persones, of what astate, degre, or condition so ever he or they be, whiche hath the newe testament or the olde trans-

lated in to englysshe, or any other boke of holy scripture so translated, beynge in printe, or copied out of the bokes nowe beinge in printe, that he or they do immediatly brynge the same boke or bokes, or cause the same to be broughte to the bysshop of the dyocese where he dwelleth, or to the handes of other the sayde persones, at the daye afore limytted, in fourme afore expressed and mencioned, as he wyll avoyde the kynges high indignation and displeasure. And that no person or persons from hensforth do bye, receyve, kepe, or have the newe testament or the olde in the englisshe tonge, or in the french or duche tonge, excepte suche persones as be appoynted by the kinges highnes and the bisshops of this his realme, for the correction or amending of the said translation, as they will answere to the kynges highnes at theyr uttermost perils, and wyll avoyde suche punisshement as they, doynge contrary to the purport of this proclamation shall suffre, to the dredefull example of all other lyke offenders.

And his highnes further commaundeth, that all suche statutes, actes and ordinances, as before this tyme have been made and enacted, as well in y^e^ tyme of his moste gracious reigne, as also in the tyme of his noble progenitours, concernyng heresies, and havynge and deteynynge erronyous bokes, contrary and agaynst the faythe catholyke, shall immediately be put in effectuall and due execution over and besyde this present proclamation.

And god save the kynge.

Sir Thomas More.—The political work of Sir Thomas More, called "Utopia," was written in 1516,

and is among one of the first English works on the science of general polity. The opinions which have been entertained by politicians and critics, as to the precise aim and object of this celebrated publication, have been various and conflicting. The performance itself is allegorical; and therefore the reader can only form his notions of the author's real sentiments and opinions, from inference and conjecture. But to a mind that is tolerably informed on the ordinary topics of political institutions, ancient and modern, there can be little difficulty in recognising the real meaning and allusions of the learned author. His soul was filled with virtuous indignation at the outrages and profligate politics of the times in which he lived, and particularly those of his own country; and he aimed at their exposure by the only means in his power—fictitious narratives and disquisitions.

The Republic of Plato is said to have formed the ground work of most of the general statements and principles found in the "Utopia." This, to a certain extent, may be true; but the two works differ in many essential particulars. The institution of marriage, the modest relations enforced between the sexes, and the absence of civil castes, take More's work out of the same class with that of the Grecian philosopher's. Besides, the "Utopia" gives some important illustrations of the salutary influence of the christian system upon the general principles of legislation.

Utopia is represented as a healthful and beautiful island in the Atlantic ocean; whose people are peaceful, their manners and habits simple, their laws those of nature, and their religion constituted of love and charity. The citizens are all well educated, the

utmost liberty of thought and speech is allowed, their warfare is entirely defensive, and capital punishment unknown.

The basis of the government is of an elective caste. Over every thirty families there is a person called a *philarch*, and to every ten philarchs a protophilarch. The council of protophilarchs, who are the senate, are elected yearly; and the chief magistrate is elected for life by these two assemblies; but should the magistrate merit dismissal, this can be effected by a majority of the members of the two legislative bodies. Labour and property are common in Utopia; and each member of society makes his wants the precise measure of his desires. The clothing of the people is chiefly distinguished for comfort and durability; money is unknown; and intellectual exercises and pleasures the highest objects of esteem and ambition. Music lends her charms to the communal feasts of the people, and banqueting halls are perfumed with delicious odours. Manufactures and agriculture are blended together; and every man, besides taking a share in the cultivation of the soil, employs a certain portion of his time at some one or more of handicraft trades, such as linen and woollen weaving, or the trades and arts connected with architecture. Every family makes its own clothes; and the general custom is, that trades descend from father to son, but this rule is not pointedly insisted on. No member of the society labours more than six hours a day.

The fourth book of More's "Dialogue Touching the Pestilent Sect of Luther and Tindal," (1530) contains his opinions on the nature of civil and religious liberty. He considers the adherents of Luther as

anarchists and rebels of the most dangerous caste; and men who think *all rule and authority only tyranny.* "Now, was thys doctrine in Almayne of the comen uplandish people so pleasantly harde that it blinded them—and these gathered them together a boisterous company of that unhappy sect, and first rebelled against an abbot, and after against a byshop; wherewyth the temporal lords had good game and sport, tyll those uplandish Lutherans set also upon the temporal lords, and then they slew upon the point of lxx thousand Lutherans in one somer, and subdued the remanant of that part of Almayne to a right miserable servitude." Sir Thomas maintains that the rise of the Lutherans was "a great token that the world is nere an end." He calls them "a bestly sect," more abominable than ancient "Heretics, and even than Mahometans," and adds "that the chyefteyns of these execrable heresyes both teake and use more sensuall and lycentyous lynynge than ever did Marhomet." Then, as to the "Burnynge of Heretykes," he says "The fere of these outrages, and myscheeves to followe upon such sects, with the profe that we have had in some countrees thereof, have been the cause that prynces and people have been constrayned to punnysh heretykes by terrible dethe."

Samson, Bishop of Chichester, wrote his work against the supremacy of Rome, about 1530. The treatise was designed to support the authority of Henry VIII. against the power of the pope. Samson maintains that all history, as well as common sense, go to establish the position, that kings should take precedence over the clergy; and he then goes with the general argument, whether there be any real foundation for

the statement that the pope is the successor of St. Peter. "The people are recommended to obey and honour the king, as the supreme head of the church and the nation, and to renounce their obedience to the see of Rome.

CARDINAL POLE, wrote his "Pro Ecclesiasticæ Unitas Defensione" (1535) partly in answer to Samson, and partly to insult and annoy Henry. In this work the cardinal takes the opposite view of ecclesiastical power. He says: "The priest is understood, *maxime eminere*, above all things; without them the king *nihil possit.*" "Many nations have lived very comfortably without kings, but no nation has lived without a priest." "I doubt whether I ought to call the clergy the ambassadors of the people to God or from him to the people; or whether I ought not even to *call them gods themselves.* No one can doubt that kings are in all things inferior to them in dignity. It is the people that create a king." "But the priest bears the person of a father as to the king, and is in all respects greater than the king."

Bishop Fox, in 1534, published his "De Vera Differentia Regiæ Potestatis et Ecclesiasticæ," which was soon after translated into French, by Lord Stafford. This is a work of considerable erudition, but not very well reasoned out.

There seems to have arisen in Scotland, in the early part of the fifteenth century, a decided turn for political discussion and innovation; at an earlier period, in fact, than what we witness in England. The reformers, north of the Tweed, were resolute and firm, and had intensely fixed their attention on several cardinal principles of liberty, which they were anxious to see the government of the day recognise and adopt. The politi-

cal writers of this portion of the island, at this period, were not characterised by any very refined analytical powers, or theoretical acumen; but what they lacked in those respects they fully made up by their dogmatic fierceness, and uncompromising independence and bitterness.

It must also always be remembered in looking at the political literature of Scotland, at this period of her history, that the innovations which were contemplated and insisted on by her writers in general, were matters appertaining more to religion, than to politics, properly so called. Civil privileges were things of a secondary importance, although they were intimately blended with the religious element, uppermost in the minds of the nation. The petition of Sir James Sandilands, presented to the queen regent, in 1558, contains perhaps, in few words, the substance of the civil and religious privileges, on which the people in general had set their hearts and affections. This petition contains five requests, 1st,—That, as by the laws of the land they had, after a long debate, obtained liberty to read the scriptures in the native language, it should be also lawful for them to use, publicly and privately, "Common prayaris in our vulgar toung." 2nd,—That, if in the course of reading the scriptures in their assemblies, any difficulty occurred, it should be lawful for any "qualifiet persone in knowledge" to explain it, subject to the judgment of "the maist godlie and maist learnt within the realme." 3d,—"That the holy sacrament of baptisme may be used in the vulgar toung," accompanied with instruction to the parties and to the church. 4th,—"That the sacrament of the Lordis supper or of his most blessed body and blude, may likewise be administrate in the vulgar

toung, and in both kindis." And lastly, "That the wickit, slanderous, and detestabill lyif of Prelattes, and of the stait ecclesiastical, may be reformed that the pepill by theme have not occasioun, as of mony dayis they have had, to contempe their ministrie and the preiching whairoff they sould be messengers;" and to remove suspicion of interested motives in making this request, it is added, "We ar content that not only the ruellas and preceptis of the New Testament, but also the wrytings of the ancient fatheris, and the godlie approved lawis of Justiniane, decyde the controversie that is betwixt us and theme*."

JOHN MAIR'S "Works," 1518. This Scottish author is better known by his latin name MAJOR. He was professor of Philosophy at St. Andrews; and we are informed that he imbibed his political sentiments from the writings of John Gerson, and P. D'Ailly. Major taught that a general council was superior to the pope's authority; and might judge, restrain, and even depose him from his chair; and he likewise denied his temporal or civil supremacy, and his privilege of inauguring or dethroning princes. He took an enlightened and comprehensive view of politics as a science. He taught that kings and rulers were only servants of the people, derived all their authority from them, and were answerable to them for every public act they performed. If rulers and kings acted tyrannically they might be controlled by the popular voice; and the tyrants of all grades might be judicially proceeded against, and be subjected to capital punishment†.

An important and influential channel, through which

* Knox's History, pp. 120, 121.

† See his Commentary on the third book of the "Master of Sentences," and his exposition of St. Matthew's Gospel, Paris, 1517.

the early reformers of Scotland conveyed their notions of reform, was that of the system of public amusements. These were not created for the purpose of conveying political sentiment to the ear of authority; they had been of long standing, and constituted the staple article of public recreation. Spiritual dramas became, throughout Europe, general and fashionable, and were countenanced by the papal power for the purpose of keeping up the interest and excitement in favour of many of the most puerile and objectionable ordinances of the church.

Before, and about the dawn of, the Reformation in Scotland, dramatic compositions, reflecting on the papal authority, and its clergy, became very common, and were attended by vast multitudes of the people of all ranks. We have, incidently, a striking proof of the popularity of such exhibitions, from a casual remark in the life of George Wishart, the martyr, who, on visiting Haddington, in 1546, to impart to the people of the town some knowledge of the reformed doctrines, said to his auditors, "I have heard of thee, Haddington, that there would have been at a dramatic exhibition two or three thousand people; and now to hear the messenger of the eternal God, of all the town and parish cannot be numbered a hundred persons."

KYLLOUR, a black friar, who had adopted the reform doctrines, composed a drama, on the history of our Saviour's passion, which was publicly represented at Stirling, in 1535, on the morning of Good Friday, in presence of James V. and a large concourse of people. The object of the tragedy was to show that, in the same manner as the priests and pharisees persuaded the Jews to reject the Saviour of mankind, and prevailed upon Pilate to condemn him to death, so do the

bishops and priests of the present day hoodwink the people, and excite kings and rulers to persecute such as professed the blessed gospel. There was so much pungency and wit in the performance, that the authorities took mortal umbrage at its representation; and the unfortunate author met with an awful death for his temerity, by being burnt to ashes on the Calton Hill of Edinburgh, in 1538.

Another author, JAMES WEDDERBURN, a man of a lofty poetical genius, composed various comedies and tragedies in the Scottish language, in which the public authorities, and the clergy generally, were roughly handled. His tragedy of the beheading of John the Baptist was performed at the West Port of Dundee; and a comedy on the history of Dionysius the tyrant, was likewise acted in the play-field of the same burgh. The authorities were so highly incensed against him, from the bitterness of these productions, that he had to make his escape to France, where he remained till his death, which took place at Dieppe. There are no printed copies extant of any of Kyllour or Wedderbourne's dramatic effusions.

SIR DAVID LINDESAY is another political satirist of note in Scotland. It has been said of him, by a late distinguished writer, that "he was more of a reformer of Scotland than John Knox; for he had prepared the ground, and John only sowed the seed." Sir David's famous drama, entitled, "The Parliament of Correction; or, a Pleasant Satire of the Three Estates in Commendation of Virtue and Vituperation of Vice," was written in 1535, but first publicly acted at Linlithgow, in 1540, in the presence of James V., his queen, and the lords of the council, spiritual and tem-

poral. It is divided into numerous acts and scenes, and is written in the Scottish language. The drama attacks all the most prominent abuses of the state, both civil and ecclesiastical. The irony is fearless and cutting; and all matters connected with the church—as indulgences, the worship of saints, purgatory, non-residence, pluralities of livings, the ignorance, avarice, and dissolute lives of the clergy, are dealt with in a bitterness and coarseness of diction, that made a deep impression on the popular mind of the day. The chief characters in the piece are a *Poor man; Temporality or Landholders; John the Commonwealth; Merchantman or Burgess;* and a sprinkling of females, as *Chastity* and *Verity*. To represent the clergy, the author makes *Spirituality* their representative; and this personage betrays a remarkable sensitiveness as to all kinds of alterations and innovations. He is strictly conservative, and has a deep abhorrence of all new-fangled notions on state affairs. His maxim is, "Whatever is, is right." *Spirituality* is also supported in the part he acts by *Sensuality*, *Falsehood*, *Deceit* and an *Abbess*. After lengthened and warm discussions, the two kings in the drama, *King Correction* and *King Humanity*, with the advice of the *Three Estates*, approve, ratify and confirm a series of acts, to the number of fifteen, for the full redress of the political and ecclesiastical grievances of which the community had so long and loudly complained.

This satire was a great favourite with the people, and they would have witnessed its performance for eight or nine hours, without any falling off in their enthusiasm. The king, himself, we are told, was so deeply affected by the piece, that, at the close of its

representation, he turned upon the Bishop of Glasgow, then his chancellor, and several other prelates, and in a rage, said, "Pack you knaves; get you to your charges, and reform your own lives, and be not instruments of discord betwixt my nobility and me; or else, I vow God, I shall reform you: not as the King of Denmark by imprisonment does, nor yet as the King of England does, by hanging and heading; but I shall reform you by the sharp broad-sword."

As a specimen of the author's poetry, we shall give a few lines from the "Monarchie," touching the building of the Tower of Babel.

"Their great fortress then did they found,
And cast till they gat sure ground.
All fell to work both man and child,
Some howkit clay, some burnt the tyld.
Nimron, that curious champion,
Deviser was of that dungeon.
Nathing they spared their labours,
Like busy bees upon the flowers,
Or emmets travelling into June;
Some under wrocht, and some aboon,
With strang ingenious masonry,
Upward their wark did fortify; * *
The land about was fair and plain,
And it rase like ane heich montane.
Those fullish people did intend,
That till the heaven it should ascend:
Sae great ane strength was never seen
Into the warld with men's een.
The wallis of that wark they made,
Twa and fifty fathom braid:
Ane fathom then, as some men says,
Micht been twa fathom in our days;
Ane man was then of mair stature
Nor twa be now, of this be sure.

The translator of Orosius
Intil his chronicle writes thus;
That when the sun is at the hicht,
At noon, when it doth shine maist bricht,
The shadow of that hideous strength
Sax mile and mair it is of length;
Thus may ye judge into your thocht,
Gif Babylon be heich, or nocht.

Then the great God omnipotent,
To whom all things been present,
He seeand the ambition,
And the prideful presumption,
How thir proud people did pretend,
Up through the heavens till ascend,
Sic languages on them he laid,
That nane wist what ane other said;
Where was but ane language afore,
God send them languages three score;

The "Baptistes" of George Buchanan, written in 1540, but not printed till 1576, is a drama of great merit, and contains noble sentiments of liberty and independence. It is a tragedy founded on the death of John the Baptist. The *dramatis personæ* are the speaker of the prologue; Malachus, a Pharisee; Gamaliel, a Pharisee; John the Baptist; a chorus of the Jews; Herod, the King; Herodias, the Queen; the daughter of the Queen; and a messenger. The object of the drama is, to hold up the tyranny and cruelty of kings and wicked prelates to execration and contempt. The play was dedicated to James VI.; and the dedication, for its liberal sentiments, is every way worthy of the tragedy and the author. It was speedily translated into all the languages of the continent.

ANDREW MELVILLE, in his "Diary," 1573, tells us, "This year (1572), in the month of July, Mr. John

Davidson, one of our agents, made a play at the marriage of Mr. John Calvin, which I saw played in Mr. John Knox's presence; wherein, according to Knox's doctrine, the Castle of Edinburgh was besieged, taken, and the captain, with one or two with him, hanged in effigy."

GEORGE BUCHANAN.—"De Jure Regni apud Scotos." This work of Buchanan's is worthy of especial notice, for the bold political statements it contains. It made a deep impression upon the political mind of Europe, at the time of its first appearance. The leading object of the work is, to show that the royal authority of every country is derived from the people; and that if kings and rulers do not perform their duty, but act falsely to the nation, they may be deposed and killed.

Buchanan says, in reference to his book, "De Jure Regni," "I have deemed this publication expedient that it may at once testify my zeal for your service, and admonish you of your duty to the community. * * * Yet I am compelled to entertain some slight degree of suspicion, least evil communication, the alluring nurse of the vices, should lend an unhappy impulse to your tender mind; especially as I am not ignorant with what facility the external senses yield to seduction. I have, therefore, sent you this treatise not only as an advice, but even as an importunate, and somewhat impudent, exhorter, to direct you at this critical period of life, safely past the dangerous rocks of adulation; not merely to point out the path, but to keep to it; and if you should deviate, to reprove and reclaim your wanderings; which monitor if you obey, you will ensure tranquillity to yourself and your family, and transmit your glory to the most remote posterity."

Buchanan's work is written in the form of a dialogue; and in that portion of it devoted to the consideration of the origin and nature of government, we find the following passage:—"B. Is there, then, a mutual compact between the king and the people? M. Thus it seems. B. Does not he who first violates the compact, and does anything against his own stipulations, break his agreement? M. He does. B. If, then, the bond which attached the king to the people is broken, all rights he derived from the agreement are forfeited? M. They are forfeited. B. And he who was mutually bound becomes as free as before the agreement? M. He has the same rights and the same freedom as he had before. B. But if a king should do things tending to the dissolution of human society, for the preservation of which he has been made, what name should we give him? M. We should call him a tyrant. B. But a tyrant not only possesses no just authority over his people, but is their enemy? M. He is surely their enemy. B. Is there not a just cause of war against an enemy who has inflicted heavy and intolerable injuries upon us? M. There is. B. What is the nature of a war against the enemy of all mankind, that is, against a tyrant? M. None can be more just. B. Is it not lawful in a war just commenced, not only for the whole people, but for any single person to kill an enemy? M. It must be confessed. B. What, then, shall we say of a tyrant, a public enemy, with whom all good men are in eternal warfare? may not any one of all mankind inflict on him any penalty of war? M. I observe that all nations have been of that opinion; for Theba is extolled for having killed her husband,

and Timoleon for his brother's, and Cassius for his son's death*."

On the importance of Buchanan's political works generally, Sir James Mackintosh remarks, "The science which teaches the rights of man, the eloquence which kindles the spirit of freedom, had for ages been buried with the other monuments of the wisdom and relics of the genius of antiquity. But the revival of letters first unlocked only to a few the sacred fountain. The necessary labours of criticism and lexicography occupied the earlier scholars, and some time elapsed before the spirit of antiquity was transfused into their admirers. The first man of that period, who united elegant learning to original and masculine thought, was Buchanan; and he, too, seems, to have been the first scholar who caught from the ancients the noble flame of republican enthusiasm. This praise is merited by his neglected, though incomparable, tract, 'De Jure Regni,' in which the principles of popular politics, and the maxims of a free government, are delivered with a precision, and enforced with an energy, which no former age had equalled, and no succeeding has surpassed."

John Knox.—"The First Blast of a Trumpet against the monstrous Regiment of Women." 1557. Knox was a pupil of Major's, and had imbibed his political sentiments on the nature of civil and ecclesiastical power. In this "Blast," written against the reigning Queen Mary, he maintains that, "To promote a woman to bear rule, superiority, dominion, or empire, above any realm, nation, or city, is repugnant to nature, contumely to God, a thing most contrarious to his

* De Jure, p. 96.

revealed will and approved ordinance, and finally, it is subversive of all equity and justice." His arguments for this political maxim he draws from the consideration that the divine law announced, at the creation, woman's subjection to man; that female government was not allowed among the Jews; that it was contrary to apostolic injunctions, and must, in all cases, lead to the perversion of government, and to the introduction of pernicious customs and habits among the people.

Of Knox's general opinions and doctrines on political subjects, we have a pretty full account, scattered through his "Historie," and his "Letters." In one place he says,—"In few wordis to speik my conscience; the regiment of princes in this day cum to that heap of iniquitie, that no godlie man can bruke office or autoritie under thame, but in so doing hie salbe compellit not onlie aganis equitie and justice to oppress the pure, but also expressidlie to fycht againis God and his ordinance, either in maintenance of idolatrie, or ellis in persecuting Godis chosin childrene. And what must follow heirof, but that either princeis must be reformit and be compellit also to reform their wickit laws, or els all gud men depart fra thair service and companie." Again, he says, "But now, no farder to trubill you at the present, I will onlie advertis you of sic bruit as I heir in thir partis, uncertainlie noysit, whilk is this, that contradictioun and rebellioun is maid to the autoritie be sum in that realme. In whilk poynt my conscience will not suffer me to keip back from you my consall, yea my judgment and commandement, whilk I communicat with yow in Godis feir, and by the assurance of his trueth,

whilk is this, that nane of you that seik to promot the glorie of Chryst do suddanlie disobey or displeas the establissit autoritie in things lawful, neither yet that ye assist or fortifie such as, for their awn particular caus and warldlie promotioun, wald trubill the same. But, in the bowallis of Chryst Jesus, I exhort yow, that, with all simplicitie and lawful obedience, with boldness in God, and with opin confessioun of your faith, ye seek the favour of the autoritie, that by it (yf possible be) the cause in whilk ye labour may be promotit, or, at the leist, not persecutit: Whilk thing, efter all humill request, yf ye can not atteane, then, with oppin and solemp protestation of your obedience to be given to the autoritie in all thingis not plainlie repugnying to God, ye lawfullie may attemp the extreamitie, whilk is, to provyd (whidder the autoritie will consent or no) that Chrystis evangell may be trewlie preachit, and his haly sacramentis rychtlie ministerit unto yow and to your brethren, the subjectis of that realme. And farder ye lawfully may, yea, and thairto is bound, to defend your brethrene from persecutioun and tiranny, be it aganis princes or emprioris, to the uttermost of your power; provyding alwayis (as I have said) that nether your self deny lawful obedience, nether yit that ye assist nor promot thois that seek autoritie, and pre-eminence of warldlie glorie*."

Knox's ideas of toleration are somewhat curious. He says, "While the posterity of Abraham were *few in number*, and while they sojourned in *different countries*, they were merely required to avoid all participation in the idolatrous rites of the heathen; but *as soon*

* MS. Letters, p. 434.

as they prospered into a kingdom, and had attained *possession of Canaan*, they were strictly charged to suppress idolatry, and to destroy all its monuments and incentives. The same duty was *now* incumbent on the professors of the true religion in Scotland. Formerly, when not more than *ten persons in a county* were enlightened, it would have been foolishness to have demanded of the nobility the suppression of idolatry. But *now* when knowledge has increased," &c.

Hume, Robertson, and other writers have ascribed ultra political principles to Knox, as well as to Buchanan, and other active agents in the early reform movements in Scotland. Robertson says, that Knox's ideas were grounded on "an excessive admiration of ancient policy;" and that his political views were, as a whole, built "not on the maxims of feudal, but of ancient republican government." These statements have, in some measure, been met by others of a qualifying character from the pen of Dr. M'Cree, the biographer of the great Scottish reformer. The doctor says, "These assertions need some qualification. If republican government be opposed to absolute monarchy, the principles of Knox and Buchanan may be denominated republican; but if the term (as now commonly understood) be used in contradistinction to monarchy itself, it cannot be shown that they ordained or recommended republicanism. They were the friends of limited monarchy. It is the excellence of the government of Britain, that the feudal maxims which once predominated in it have been corrected, or their influence counteracted by others borrowed from republican constitutions. And it is not a little to the credit of these great men, and evinces their good sense

and moderation, that, notwithstanding all their admiration of ancient models of legislation, in comparison with the existing feudal monuments, they contented themselves with recommending such principles as tended to restrain the arbitrary power of kings, and secure the rights of the people. Nor were all their authorities and examples drawn from ancient writers, as may be seen in Buchanan's dialogue, "De Jure Regni apud Scotos*."

It is curious to have a record of what, in the opinion of the leading spirits in Scotland at this period, constituted heresy. An extract from Archbishop Hamilton's catechism, published at the university of St. Andrew's, gives us some light on the subject.

"Heir it is expedient to descrive quha is ane heretyk; quhilk descriptioun we will nocht mak be our awin proper invencion, but we wilf tak it as it is els made and gevin to us, be twa of the maist excellent doctouris of haly kirk, Hierome and Augustine. Thir are the wordis of St. Hierome, quilk he sais in his Commentarie upon the Epistle of St. Paul to the Gallathians: Quicunque aliter scripturam intelligit, quam sensus Spiritus Sancti flagitat, quo conscripta est, licet de ecclesia non recesserit, tamen hereticus appelari potest. Quhat Christin man or woman soevir thai ar quhilk understandis the Haly Scripture otherwayis than ye mind of ye Haly Spirit requiris, (be quhais inspiracion the Scripture was writtin) supposs he gang nocht fra the company of ye kirk, zit he may be callit an heretyk. Now hear the wordis of St. Augustin, descryvand quah is ane heretyk: Hereticus est, ut mea fert opinio, qui alicujus temporalis commodi, et

* Life of Knox, vol. ii. p. 461.

maxime glorie principatusq.: sui gratia, falsas et novas opiniones vel gignit, vel sequitur. Efter my opinion (sais he) he is ane heretyk, quhilk, because of any warldlie profeit, and maist of all, because of his awin glore and promotioun, leiffas the trew faith, and other makis or followis fals and new opinions. Gif ye speir agane at me, how may ze knaw the trew sence of the Scripture intendit be ye haly Spirit, and sa discerne ye verite of our faith fra new and fals opiniouns callit hereseis? Trewly this ze may knaw and discerne be thre wayis: First, be trew collatioun, applicatioun, and conferring ane place of the Scripture till ane uther, for commonly ye sentëce quhilk is put in ane place of the scripture obscuirly, the same sentëce is put in ane other place of the scripture pleanly. Than quha sa hais the ingyne, cunning or knawledge to cöferre ye obscuire place to ye plain place, may cum to ye trew understanding of the obscuire place. And maist of all, it helpis us to ye trew intelligence of ye scripture, to tak gud tent to the wordis that ar written immediately afor the text yat we heir or reidis, and alswa yat followis efterhand ye same; for sum tyme ye wordis written afore, sum tyme ye wordis written eftirhend, sum tyme ye wordis afore and efter, opinnis til us ye trew and plain sense of yat text of ye scripture quhilk we desyre to understand. Bot because mony men reidis ye scripture, and hes nocht ye gift of ye haly spirit, callit interpretatio sermonü, the interpretation of wordis, that is to say, (after ane exposition) of difficil and obscuire places; theirfore, it is expediët to cum to ye secüd way quhilk is ye expositiö of autentik doctours, approvit be ye auctorite of haly kirk, and resavit be lang consent of ye Christin peple, as Herome, Am-

brose, Augustine, Gregorie, Chrisostome, with mony uther sic lyke, to quhome ye haly spirit gaif ye gift of interpretacion and exposition of ye scripture, and alsua leirit ye trew sence of ye same at yair doctouris and elderis, quhilk likewais leirit ye same trew sence at yair doctouris and elderis, sa ascendät to ye apostils. The thrid way to knaw quhat are ye bukis of haly write, quhat is the trew sence of ye same, quhat ar the articlis quhilk ar heresie, is ye declaracioun, determinatioun, and decisionis of general counselis, gaderit togidder and concludit be ye inspiratioun of the haly spirit, quhame the father eternall, and our salviour Jesus Christ his natural sonne hais gevn to the kirk to be leder, techar, and direckar of ye same kirk, in all matteris cöcerning our catholike faith."

Andrew Melville was the author of the "Second Book of Discipline," 1578; a work partaking of both a civil and religious character, and which was adopted, after long and deliberate discussion, by the General Assembly of Scotland, as its theological and political creed. This work points out the distinction between civil and ecclesiastical power; declaring that our Saviour distinctly appointed a government of the christian church entirely apart from civil government; that this christian church government is to be exercised in his name, and by such officers as he has recognised, and not by any means to be brought under the cognizance and authority of civil rulers. Civil institutions, this treatise shows, have for their direct aim, the promoting or securing of external peace, quietness, and happiness among the subjects of a realm; but ecclesiastical authority has the directing and influencing of men in matters of conscience; yet both kinds of go-

vernment or power are of God, and, if rightly used and understood, tend to one general or common end—the glorifying of God and making men good subjects. This is the general theory of religious and civil power entertained even now by the Scottish established faith, as to the nature and abstract relations subsisting between religion and the state.

The Scottish "League and Covenant," was an influential document on the political movements and modes of thinking among the reformers of this part of the kingdom. It was simply a solemn abjuration of popery, both in its civil and religious character. It repudiates the various articles of this system, and engages to adhere to and defend the reformed doctrine, both in principle and discipline. The Covenanters pledged themselves on oath, "To defend his majesty's person and authority with our goods, bodies, and lives, in defence of Christ's evangel, liberties of our country, ministration of justice, and punishment of iniquity against all enemies within the realme or without." This document the king signed on the 28th of January, 1581.

The accession of Edward VI. to the English throne, in 1546, gave a fuller scope to the principles of the Reformation, and the maxims of general and individual freedom began to be more frequently discussed and examined. A little before this date we have "The Governor," 1531, of Sir Thomas Elyot. There are no abstract principles of politics fully examined in this treatise; for in that portion of it in which he points out the qualities which a good governor should possess, he only dwells on subjects of a personal and temporary nature. Sir John Cheke, in 1540, pub-

lished "The Hurt of Sedition, how grievous it is to a Commonwealth;" a work of but very narrow and contracted views.

We have a somewhat curious work, entitled, "The Complaynt of Roderyck Mars, sometime a gray fryre vnto the Parliament Howse of Ingland, his natural country: for the redresse of certen wicked lawes, euel customs, a(n)d cruel decreys," published about 1548. The work contains twenty-five chapters. The following are some of their titles, "Of inhansing of rentys by landlordes;" "Of the forfetting of landys or goodys of traytors, felons, or murderers;" "Of the inclosing of parkys, forestys, chasys, &c.;" "Of the sellying of wardys for marriage, whereof ensueth adultery, which owght to be ponyssed by death." With respect to the raising the price of land, the author proposes, by way of remedy, "That the king (Edward VI.) shall compel all landlfolders to let their estates at the same rent they produced forty or fifty years before, under the penalty of *forfeiting the whole*; one part to go to the king, another to the commonwealth, and the third to the informer.

On the accession of Mary, in 1553, the reform opinions received a temporary check. Her reign, however, was short; and she was succeeded by Elizabeth in 1558. Political discussions became now more general, although the queen, during her whole life, was never enamoured with anything like civil freedom. She maintained her opinions on the nature of the royal prerogative with a high hand.

The "Fall of Princes," by John Bochas, 1555, purports to give a full and careful enumeration of all those monarchs, who, since the days of Adam, have

fallen from their lofty station and become miserable. The work is in black letter, written in verse, and is, in many respects, a very curious production. It gives good counsel both to princes and people.

In the reign of Elizabeth, of which we are now treating, the political opinions of the pope were still the same as to the right of temporal power over the princes of the earth. This is obvious from the Bull which Pius V. issued against this princess. "He who reigneth on high," says his holiness, "to whom is given all power in heaven and in earth, hath committed the one holy and catholic church, out of which there is no salvation, to one alone upon earth, that is, to Peter, the prince of apostles, and to the Roman Pontiff, the successor of Peter, to be governed with a plenitude of power. This one he hath constituted prince over all nations that he may pluck up, overthrow, disperse, destroy, plant, and rear. * * *. We deprive the queen of her pretended right to the kingdom and of all dominion, dignity, and privilege whatsoever; and absolve all the nobles, subjects, and people of the kingdom, and whoever else have sworn to her, from their oath, and all duty whatsoever in regard to dominion, fidelity and obedience."

This doctrine of absolute political authority was not maintained by Rome in reference to Great Britain alone; but the same claims were made towards other European states. The Bull of Sixtus V., 1585, against the King of Navarre and the Prince of Condé, runs thus:—"The authority given to St. Peter and his successors by the immense power of the Eternal King, excels all the power of earthly princes; it passes uncontrollable sentence upon them all; and if it find any

of them resisting the ordinance of God, it takes a more severe vengeance upon them, casting them down from their throne, however powerful they may be, and tumbling them to the lowest parts of the earth, as the ministers of aspiring Lucifer. We deprive them and their posterity, of their dominions for ever. By the authority of these presents, we absolve and free all persons from their oath of allegiance, and from all duty whatsoever relating to dominion, fealty, and obedience; and we charge and forbid all from presuming to obey them, or any of their admonitions, laws, or commands."

JOHN AYLMER.—"An Harborrowe for Faithful and Trewe Subjects, against the late blowne Blaste, concerning the Government of Women," 1549. Aylmer was one of the English refugees on the continent, had been archdeacon of Stowe, and tutor of Lady Jane Grey. The book was written, according to his biographer's account, "upon a consultation holden among the exiles, the better to obtain the favour of the new queen (Elizabeth) and to take off any jealously she might conceive of them, and of the religion which they professed." As the work was published to counteract the influence of Knox's "Blast," the author says, "If the writer had not swerved from the particular to the general question, and confined himself to the queen who had recently filled the throne, he could have said nothing too much, nor in such wise as to have offended any indifferent man;" for that Mary's government was "unnatural, unreasonable, unjust, and unlawful."

The archdeacon flatters the queen, but is not so lavish of his praises on the ladies generally. He says, "Some women be wiser, better learned, discreter, con-

stanter, than a number of men; but the most part are fond, foolish, wanton, flibbergibs, tatters, trifling, wavering, wittles, without counsel, feable, and carles, rashe, proud, daintie, nise, tale-bearers, eves-droppers, romour-raisers, evil-tongued, worse-minded, and in everywise, doltified with the dregges of the devil's doungehill."

Dr. M'Cree says that "The Harborrowe" has been written with great care; it contains a good collection of historical facts bearing on the question, and though more distinguished for rhetorical exaggeration than logical precision, the reasoning is ingeniously conducted and occasionally enlivened by strokes of humour. It is, upon the whole, a curious as well as a rare book."

Of the bold and fierce spirit in which political opinions were expressed by the early reformers in England, as well as Scotland, the following denunciations of Aylmer on the French monarch, Henry II., furnish a striking specimen. "Is he a king or a devil, a Christian or a lucifer, that bi his cursed confederacie so encourageth the Turke?—Oh! wicked caitiff and firebrand of hell, which for the increasing of his pomp and vayn glory (which he shall not long enjoy) will betray Christ and his cross to his mortal enemy. Oh foolish Germains! which see not their own undoing, which conspire not together, with the rest of Christian princes, to pull such a traytour to God and his kingdom, by the eares out of Fraunce, and hang him against the sonne a drying. The devill hath none other of his sede nowe but him, to maintaine both the spiritual and temporall antichryste, the Pope and the Turke. Wherefore seeing he hath forsaken God, lyke

an apostata, and sold himself to the Devell, let us not doùbte but God will be with us against him, whensoever he shall seek to wrong us; and I trust he will now in the latter age of the worlde shew his might in cuttyng off this proud Holofernes' head, by the hands of our Judith. Oh! blessed is that man that loseth his lyfe against such a Termagaunt! yea more blessed shall they be that spend their lyves against him than against his great maister the Turke: for the Turke never understode the crosse of Christ; for this Turkish apostata is named à devilis name, *Christianissimus*, and is in the very heart of Christendome, and lyke a traiterous Saracene is Christ's enemy*."

Aylmer had enlightened ideas on the general nature of the British constitution. He keeps abstract principles in view, while he enlarges on matters that may be at variance with them. He says, "A city is at the pit's brinke, wherein the magistrate ruleth the lawes, and not the lawes the magistrate." He thought the English system of polity the best in the world, at the time he lived. "I can find none either so good or so indifferent. * * * The regemente of Englande is not a mere monarchie, as some for lacke of consideracion thinke, nor a mere oligarchie nor democracie, but a rule mixed of all these, wherein eche one of these have or should have like authoritie. The image whereof, and the image, but the thing in dede is to be sene in the parliament hous, wherein you shall find these three estats; the king or quene which representeth the monarchie, the noblemen which be the aristocratie, and the burgesses and knights the democratcie. If the parliament use their privileges, the king can ordain nothing

* Harborowe for Faithful Subjects, Q, 1. Strasborowe, 1559.

without them. If he do, it is his fault in usurping it, and their fault in permitting it*."

CHRISTOPHER GOODMAN.—"How superior powers oght to be obeyd; of their subjects, and wherein they may be lawfully by God's worde be disobeyed and resisted. Wherein also is declared the cause of all this present miserie in England, and the onely way to remedy the same." (Geneva, 1558). The author in this work argues for a limitation of the power of kings and rulers; and that, if they violate any of the great and fundamental principles of national justice, right or liberty, they may be lawfully resisted, deposed and punished by their subjects, if they become thoroughly tyrannical and profligate. Goodman inserts some verses, breathing the same sentiments, written by William Kethe, (a translator of the psalms of David into English metre) of which the following lines are a specimen.

> "Whom fury long fostered by suffrance and awe,
> Have right rule subverted, and made will their law,
> Whose pride how to temper, this truth will thee tell,
> So as thou resist may'st, and yet not rebel."

Goodman maintains the same opinions as John Knox did, as to the nature of feudal government. He was afterwards obliged to modify these, and some other of his political principles, in compliance with the desire of Queen Elizabeth and her court. He had to confess that "good and godly women may lawfully govern whole realms and powerful nations;" and some explanations were given by him as to the principle of physical resistance to constituted authorities, which

* Pp. 2, 3.

satisfied for the time, the consciences of his enemies. Collier calls all this "a lame recantation*."

Dr. John Poynet.—"A short treatise of Political Power, and of the true Obedience which Subjectes owe to Kynges." (1559). This writer was, first, bishop of Rochester, and afterwards of Winchester, under Edward VI. As the title of the book implies, he enters fully into the nature of political authority and power, and discusses it as absolute and as limited; chalks out the boundaries of civil obedience to rulers and kings; and maintains the power and right of the people to depose and punish those who act tyrannically towards them. Strype says, "This book was not over favourable to princes. Their rigour and persecutions, and the arbitrary proceedings with their peaceful subjects in these times, put them upon examining the extent of their power, which some were willing to curtail and strayten as much as they could. This book was printed again in 1642, to serve the turn of those times†."

Poynet's work is divided into seven chapters. 1st, "Whereof politique power groweth, whereof it was ordained, and the right use and duty of the same? 2nd,—Whether kings, princes, and other governors, have an absolute power and authority over their subjects? 3rd,—Whether kings, princes, and all other politique governors be subject to God's laws, or the positive laws of the country? 4th,—In what things, and how far, subjects are bound to obey their princes and governors? 5th,—Whether all the subject's goods be the emperor's or king's own, and that they may

* Eccl. Hist. ii. 440. † Strype's Annals, i. 126.

lawfully take them for their own? 6th,—Whether it be lawful to depose an evil governor and kill a tyrant? 7th,—What confidence is to be given to princes and potentates?"

The doctrines of Poynet are extremely bold and daring for their age. On the doctrine of deposing kings, he says, "The manifold and continual examples that have been, from time to time, of the deposing of kings and killing of tyrants, do most certainly confirm it to be most true, just, and consonant to God's judgment. The history of kings in the old Testament is full of it. * * * The reasons, arguments, and laws that serve for the deposing and displacing of an evil governor will do as much for the proof that it is lawful to kill a tyrant, if they may be indifferently heard. As God hath ordained magistrates to hear and determine private men's matters, and to punish their vices, so also willeth he that the magistrate's doing be called to account and reckoning, and their vices corrected and punished by the body of the whole congregation or commonwealth."

Alexander Arbuthnot, was a zealous advocate of the political principles of the Reformation; and wrote his "Orationes de Origine et Dignitate Juris," about 1560. James I. punished him for his liberal opinions, by confining him strictly to his college; and this treatment, it has been said, greatly hastened Arbuthnot's death. Sir Thomas Chaloner, born in 1515, published his chief work in 1556, entitled, "On the Right Ordering of the English Commonwealth." This was afterwards enlarged, and given to the public with the title, "De Republica Anglorum Instauranda." A little after this we have Hubert Languet, with his

"Vindiciæ Contra Tyrannos," 1579. This author was the personal friend of Sir Philip Sidney. The object of the treatise is, to prove that if kings and rulers despoil God's church, countenance or adopt idolatrous customs or ceremonies, or trample upon the privileges of their subjects, they may be deposed by the state, which is, in fact, under a deep obligation to do so.

Henry Penry, commonly known by the name of "Mar-Prelate," was a writer of party-politics of considerable notoriety in his day. He was educated at Cambridge, and afterwards went to Oxford, where he was admitted into priest's orders. He adopted both the political and religious principles of the puritans; and civil and theological controversies running high at the time, he launched into the midst of them with all the ardour and recklessness of his temperament. He became a member of a club of writers who had a press of their own, from which many productions privately issued, which proved very galling to their antagonists. Of these, the most offensive bore the signature of "Martin Mar-Prelate." The episcopal hierarchy, and all its supporters, were especial objects of attack. Among the many writings of Penry, the best known, and the most able, are, "Theses Martinianæ;" "A View of Public Wants and Disorders in the Service of God;" "Exhortation to the Governors and People of Wales;" "Reformation no Enemy to Her Majesty and the State;" "Sir Simon Synod's Hue and Cry."

Elizabeth's government had, for some time, kept its eye upon the movements of the writer; and, at length, a warrant was granted for his apprehension; but he took refuge in Scotland, where he drew up a petition

to be presented to her majesty. With this instrument he ventured to return to England, and took refuge near to Stepney; but his place of concealment being discovered by the vicar of the parish, Penry was handed over to the public authorities. The government officers purposed, at first, to prosecute him for the several books he had published; but the requisite time, within which such a prosecution could be instituted, having elapsed, they fell upon the unconstitutional and iniquitous step of indicting him for "seditious words and rumours against the queen's most excellent majesty, tending to stir up rebellion among her subjects." There was no evidence to support this charge, except some loose and vague impressions taken from his private papers, which were held to *imply* a denial of the queen's authority. He was adjudged guilty of felony, and sentenced to death. Archbishop Whitgift was the first to sign his death-warrant. He was taken suddenly, one afternoon, from the King's Bench to St. Thomas Waterings, and there hanged in the presence of a small number of spectators.

The following Latin rhythmical numbers were written on this writer, and some of his friends and associates; and were, long after his death, popular among the people.

"Hic jacet, ut pinus,
Nec Cæsar, nec Ninus,
Nec Petrus, nec Linus,
Nec Cœlestinus,
Nec magnus Godwinus.
Nec plus, nec minus,
Quam Clandestinus,
Miser ille Martinus,
Videti singuli.

"O vas Martinistæ,
Et vas Brownistæ,
Et vas Barrowistæ,
Et vas Atheistæ,
Et Anabaptistæ,
Et vas Hacketistæ,
Et Higgintonistæ,
Et omnes sectistæ,
Quorum dux fuit iste.
Lugete singuli.

"Et gens Anglorum,
Presertim verorum,
Nec non qui morum,
Estis bonorum,
Inimici horum,
Ut est decorum,
Per omne forum,
In secula seculorum.
Gaudete singuli."

The good people of Scotland had, likewise, a rhyme on the same unfortunate victim of oppression.

"The Welshman is hanged,
Wha at our kirke flanged,
And at our state banged
And brened ane his buks.
And though he be hanged,
Yet he is not wranged;
The devil has him fanged,
In his kruked kluks."

UDAL, a dissenting clergyman, wrote a work, called, "A Demonstration of Discipline," in which he spoke disrespectfully of the government of bishops. Though the author was careful to conceal his name, yet the authorities of Queen Elizabeth threw him into prison, and he was brought to trial for the offence. The

judges would allow the jury to determine nothing, save the simple fact—whether Udal had written the book or not. No evidence as to his intentions, nor on the construction of his language, could be admitted. There was no proof offered that he had even written the treatise, except the testimony of two persons which affirmed that Udal had acknowledged the authorship. A verdict of death was given against the writer, but he died in prison before the execution of his sentence.

Rose.—This author's work, "De Justa Reipublica in Reges Potestate," was published in 1590. The author's aim is to discuss the origin of society, and to examine the principles upon which the election of magistrates is grounded; and likewise to show that all the forms and limitations of governments have sprung from the choice of the people, except in case of conquest. He stoutly advocates the doctrine that it is just and necessary to kill political tyrants whenever they violate their solemn engagements with the people.

Edmund Richer, a learned divine, and grand master of the college of Le Moine, published a work in London (1593) in opposition to the political authority of the pope, entitled, "On the Civil and Ecclesiastical Power." This performance brought upon him the hatred of the clerical body, and he was censured by a council of bishops, who proscribed and condemned him. He was committed to the prison of St. Victor. In order to obtain his release, he made a partial recantation of his opinions, under the guidance and direction of Cardinal Richelieu. In the same year, Bishop Wilson wrote his, "Perpetual Government of Christ's Church," a work which argued for the superiority of Episcopacy, and its

necessity for state purposes. Another controversial work of his, of the same kind, is called, "On Christian Subjection and Unchristian Rebellion." Following this treatise, we have, "Polimanteia; or, the Means to Judge of the Fall of a Commonwealth, wherein is annexed a Letter from England to her three Daughters, Cambridge, Oxford, and Inns of Court." By W. C. Cambridge, 1594.

ALBERICUS GENTILIS.—"De Legationibus," 1583; "De Jure Belli," 1589. The author of these two works was an Italian protestant, and became, through the interest of the Earl of Leicester, Professor of Civil Law at Oxford. One of the treatises is dedicated to Sir Philip Sidney. Grotius acknowledges his obligations to this writer. We have, likewise, at this time, WILLIAM BARCLAY'S "De Regno et Regali," 1600. This political writer was an English catholic, and his work is chiefly intended as an answer to Buchanan, Boucher, and others, as to the rights and privileges of the people. Barclay considers that the king has no superior in temporal matters; that the nation is bound, in all cases, to obey his will; and that it is his own individual power which confers authority on all laws.

SIR THOMAS SMITH wrote his "Commonwealth of England," in 1583. He enters, in the first book, into the various kinds or sorts of commonwealths; what is just and lawful for a commonwealth to enact; gives examples of changes in the governments of every country; few commonwealths are of a simple or unmixed character; gives a definition of a king and a tyrant; describes an absolute sovereign; of the name of king, and of the administration of England; what is a commonwealth; the different theories as to the origin

of society; and the policy of every commonwealth must coincide with the nature and circumstances of a people. In the second book, he gives us a general definition of the laws of England; and, in the last book, treats of special matters, such as the Star Chamber, marriages, bondmen, &c.

The author's distinction between a constitutional monarch and a tyrant is, that the former is chosen or appointed by the people, and rules by the laws which proceed from them; whereas, a tyrant rules by his own will, and sets the wishes and interests of his people at defiance.

Richard Hooker. "The Laws of Ecclesiastical Polity, in eight books," 1594. This valuable work contains an immense fund of information and knowledge for the politician. Many general principles and maxims of government are laid down with such care and judgment, and are so applicable to all times and seasons, that they prove of great utility to all minds which are apt to be bewildered by a multitude of incidental matters of detail. Hooker is an invaluable synthetical compendium of all the popular arguments, or the origin and leading principles of the social confederacy of nations. The work is fully entitled to every word which Clement VIII. is said to have spoken of it. "This man, indeed, deserves the name of an author. His books will get reverence by age; for there is in them such seeds of eternity, that they shall continue till the last fire shall devour all learning."

In the second year before the close of the reign of Elizabeth (1602), we have the origin of a distinct and important section of political science, namely, that which legally enforces and regulates the support of the

poor, the destitute, the aged, and the infirm. To British authors this branch of the parent science of general polity, owes more than to the writers of any other country, or to the writers of all countries put together, both from the soundness of their general principles, and for the humanity and philanthropy displayed in their general discussion and development.

Previous to the reign of Henry VIII. the poor were maintained from the funds of the church; but that king having laid his hands upon them, the poor, for many long years, were thrown to the wall, and suffered great hardships and cruelty. The evils resulting from this want of legal provision for them, gradually increasing, till towards the close of the life of Elizabeth, she became so sensible of the danger and impolicy of any longer delay in providing a remedy, that she caused the celebrated act called the *forty-third* of her reign, to be enacted for the compulsory relief of the poor and destitute. This has hitherto been considered as the indigent's *magna charta.* We shall not enter into any formal examinations of the provisions of this famous enactment; but suffice ourselves with merely noticing the very early attention that some of its leading provisions excited, which involve several prominent principles of social and political economy.

About a couple of years after this poor-law enactment was made, a number of individuals in the south of England, chiefly landholders and wealthy farmers, joined together, drew up certain queries, ten in number, respecting the correct interpretation of the act, in some of its fundamental provisions. These queries were forwarded to a most distinguished lawyer of that day, called

Sergeant Snigge, contemporary with Coke, Plowden, Glanvyl, and other distinguished men. This Mr. Snigge was knighted, and made a judge by James I. We cannot give here the whole of these queries, but we shall select one, comprehending a primary principle of parochial relief, which has been, in subsequent times, a keen and important topic of discussion. This query relates to *Farming the Poor*, and is thus stated, "Question 9.—Some of the more wealthy farmers in the parish have devised a skilful mode by which all the trouble of executing this act (the 43rd of Elizabeth), might be avoided. They have proposed that we shall *erect a prison in the parish*, and then give notice to the neighbourhood, that if any persons are disposed to farm the poor of this parish, they do give in sealed proposals, on a certain day, of the lowest price at which they will take off our hands; and that they will be authorised to *refuse to any one unless he be shut up in the aforesaid prison.* The proposers of this plan conceive that there will be found in the adjoining counties, persons, who, being *unwilling to labour*, and *not possessing substance or credit* to take a farm or ship, so as to live without labour, may be induced *to make a very advantageous offer to the parish. If any of the poor perish under the contractor's care, the sin will lie at his door* as the parish will have done its *duty by them.* We are, however, apprehensive that the present act (43rd of Elizabeth), will not warrant a *prudential* measure of this kind; but you are to learn that the rest of the *freeholders* of the county, and of the adjoining county of B., will very readily join in instructing their members to propose an act to enable the parish to contract with a person *to lock up and work the poor*; and to declare that if any

person shall refuse to be so locked up and worked, he shall be entitled to no relief. This, it is hoped, will *prevent persons in distress from wanting relief*, and be the means of *keeping down parishes.*"

To this the learned lawyer sent the following answer: "It is a just suspect of the parish, that such a measure as they allude to, *will not be warranted by the act.* And I deem too highly of the *wisdom* and *integrity* of the High Court of Parliament, to surmise that they will give their *sanction to any such doings.* Should any person ever be so *weak* and *wicked* as to propound, or even to vote for such a law, they will be answerable, in conscience, not only for every poor person who may die; but, also, for *every instance of suffering or of depravity* in consequence of it. It is true that, in case the necessaries of life be lowered after the contract has been entered into, the contractor may thrive, and yet the poor may not suffer; but, if these articles rise in price, it is not possible for a *needy vagabond* to supply the difference. In such hands the poor must inevitably perish. Again, I should observe, that when under sickness or temporary distress, a poor man is to be sent *hopeless* into such a place of confinement, his spirit must, in most instances, be broken, and he become a burden to the parish for life*."

* Law Tracts, 1602.

Section II.

From James I., 1603, *to the death of Charles I. in* 1649.

The reign of James I. forms an epoch in the history of British political literature. His zealous defence of the divine appointment of kings, gave a strong and decided tincture to all the speculations of the times on the nature and offices of general government. Most of the clergy, and even those laymen in any way connected with the administration of public affairs, adopted, with more or less qualification, the political theory of the royal author.

This king wrote a work, "On the Duties of a Monarch," 1605; but, perhaps, the best epitome of his ideas of the nature of a monarchy, and the privileges and prerogatives of the kingly office, is that contained in one of his royal speeches, made on June 20th, 1616, in the Star Chamber, before the judges of the realm*. This speech embraces several political questions of importance; and it is peculiarly interesting to trace the progress of public opinion on many of them.

On the Divine Right of Kings, the monarch expresses himself thus:—"As towchinge the dignitie of a kinge he seyd that they sitt in the throne of God and therefore are in scripture tearmed Godds and that good kinges are to imitate God in justice and sinceritie of hart but wthout private respect for the advancm^{t}

* "The Kinge's Speech in the Starre Chamber, taken by Ned Wakeman." London, 1616.

of their owne endes or vaine glorie for otherwise they are but unjust and unrighteous. And that as good Judges they are to imitate Solamon and Davide the one in wisdome the other in holynes. Kinges are properlie Judges and all Judgem^ts^ are theirs how be it they are pronounced by their Judges as their ministers and substitutes by authoritie derived from them as from the ymediate liveten^a^nt of God. And althoughe the manner and formes of governm^t^ doe varie accordinge to the div^r^sitie of Kingdomes yet the sentences pronounced by the mouthes of the Judges (elected by the Kinge as interpreters of his lawes) are his and he is to answer for them before God soe as there is a neere league and affinitie betweene the Kinge and God uppward so is there as neere betweene the Kinge and the Judge downewarde whose office and duty is to declare and expounde lawes not to invent and make lawes."

The king gives this explanation of his not having previously appeared before the judges in the Star Chamber, because, "when he came into this kingdome he was an olde Kinge yet was he but a straunger to our lawes and governm^t^ and therefore like one of Pathagoras schollers he thought good to professe silence duringe the first seaven yeres and to passe a prentishippe in learninge before he beganne to teache thinkeinge himselfe oonapt to ascende the seat of Judicature before he had learned howe to judge."

His majesty divides the charge into three heads.

"1. First the charge he was to give himselfe for a K. cannot give a good charge to his subjects except he doth first beginne w^th^ himselfe for good waters flowe not but from good springes.

"2. The second was a caveatt to the Judges.

"3. The third was an admonition to his subjects.

The king's caveat to the judges runs thus: "Then he spake," continues the reporter, "of the Court of Chauncery w^ch^ he sayd was ordained for the mitigation of the rigor of the comon lawe and that the Chauncellor was but the dispencer of his conscience, that it was a highe Court, and that *Teste meipse* was most properly written there. That from thence was no appeale to any other Court, and that he was speciallie bound to maintayne this Court. But yett this Court must keepe it self w^th^ in his limitts and the Chauncellor was not to exceede his authoritie as he sayd he had often given him in charge, but to procede accordinge as he hath been used in the auncient and best times, and if he transgressed his limitts and bounds the Judges of other courts maie not reform it but complaynt thereof to be made to his ma^tie^. For the p^r^esent Chauncellor he sayd at his comeing into the kingdome he found him in that place wherein he had ever sence conteynewed him and wished he might longe conteynewe therein and he sayd that the attempt to bringe the Chauncellor within the compasse of Premunire was odious and absurde for to indite him sittinge as it were in his owne place were to indite himselfe and to tornne himselfe uppon the pointe of his owne sworde."

The monarch draws the following picture of a justice of the peace in his own day.

"As touchinge the office of a Justice of Peace he s^d^ that although yt seemed to some fantasticall greene headed gentlemen to be in office of litle reputacion, yet it was in his opinion both worshipfull and hon^r^able and of as great necessitie for the well orderinge of the

ffairesa of the countrey as the highest offices and places for managinge of matters of state in the court. But because Justices of the Peace were of two kindes, the one good the other badde, his pleasure was that the judges should from time to time advrtise him of such as did well execute theire offices. . . . Of these badde Justices he sd there were fower sortes. The first were such as were loyteringe Justices and laye at home and did nothinge. The second were busiebodies, who did so much embraceinge many businesses for the enlargemt of theire private gaigne and profits. The thirde sorte were factious and contentious justices. The fowerth such as had a puritanicall itchinge to stirre the people against governemt and discipline. All such justices (as unprofitable members and ministers) he would have casheered."

The king's ideas of the papal power were very decided and uncompromising. "The King declared his mind towchinge priests which he would have by all means possible extirpated" :—

"Yet would he proceed wth greater severitie against some than against other some for he protested he was lothe to hang a priest for sayinge of masse, or for the mere execution of theire office or function. But for such as refused to take the oathe of allegiance (wch he sd lette the Pope and all the divills of hell say what they will was but a meere temporall oathe) he would have dispatched. In the like manner would he have them deale wth such as haveinge binne formerly banished presume to retorne hether againe. He allsoe signified to the Judges that he would have those priests that broke prison taste of the same cuppe for he sd those men wch could not be kept wthin the walls of a

prison, deserved to be helde in the noose of a halter: moreover that they were not like S^t^ Peter who went not owt of prison before an angell of heaven called him whereas these are called forth by angell of hell. Then he s^d^ he had given directions for the examination of the priests remayninge in Wisbitche Castle, towardes whom he would proceed eyther favourablie or severely according as they gave him occasion by theyre answers."

Lord Bacon has the following highly coloured passage on the character of James' work. "I cannot but mention, *honoris causa*, your majesty's excellent book touching the *Duty of a King*, a work richly compounded of divinity, morality, and policy, with great aspersion of all other arts; and being, in mine opinion, one of the most sound and healthful writings that I have read; not distempered in the heat of invention, nor in the coldness of negligence; not sick of business, as those are who lose themselves in their order, nor of convulsions, as those which cramp in matters impertinent; not savouring of perfumes and paintings, as those do who seek to please the reader more than nature beareth; and chiefly well disposed in the spirits thereof, being agreeable to truth and apt for action; and far removed from that natural infirmity, whereunto I noted those that write in their own professions to be subject, which is, that they exalt it above measure; for your majesty hath truly described, not a king of Assyria, or Persia in their eastern glory, but a Moses or a David, pastors of their people. Neither can I leese out of my remembrance, what I heard your Majesty, in the same sacred spirit of government, deliver in a great cause of judicature, which was "That kings ruled by their laws, as God did by the laws of

nature; and ought as rarely to put in use, their supreme prerogatives, as God doth his power of working miracles." And yet, notwithstanding, in your book of a free monarchy, you do well give men to understand that you know the plenitude of the power and right of a king, as well as the circle of his office and duty."

The edition of the entire work of his majesty, bears the date of 1610, folio, London; and contains a full length portrait of the royal author, with the following lines underneath:—

"Crowns haue their compasse, length of days their date,
Triumpes their tombes, felicite her fate;
Of more than earth, can earth make none partaker,
But knowledge makes the *King* most like his master.

The essay on the "Duty of a Monarch" commences at page 283 of this volume, and ends at p. 341.

The king, in his book on "Monarchy," says, that a free and absolute monarch is at liberty to do what he pleases with his people, "who are not permitted to make any resistance but by *flight*, as we may see by the example of brute beasts and unreasonable creatures, among whom we never read or hear of any resistance to their parents, *except among vipers*."

In the king's other treatise, "Basilicon Doron," addressed to his son, Prince Henry, he maintains, that the office of a king is partly civil and partly ecclesiastical; that a principal part of his function consists in ruling the church; that it belongs to him to judge when preachers wander from their text; that parity among ministers is irreconcilable with monarchy, and is the mother of confusion; and, in short, that episcopacy should be set up, and the principal presbyterian ministers banished from the country.

WILLIAM BELLENDEN, a Scotch writer, published in 1602, "Ciceronis Princeps," containing a collection from such passages of Cicero as related to a prince and the principles of government. This was dedicated to Henry, Prince of Wales, and included, likewise, a Discourse "De processu et Scriptoribus rei Politicæ." In 1612, "Ciceronis, Consul, Senator, Senatusque Romanus," was given to the public. The author planned and partly executed another work, "De Statu Prisci Orbis," but did not finish it. He then united the three treatises into one, under the title of "Bellendenus de Statu." Dr. Parr republished the work, with a preface, in 1787.

BRADSHAW, published (1604) his "English Puritanism," in which the principles of that class of religious and political reformers, are given. Passing over the theological portion of the work, we come to the *civil magistrates.* 1st,—The puritans held that the civil magistrate ought to have supreme civil power over all the churches within his dominions; but that as he is a christian, he ought to be a member of some one of them. 2nd,—That all ecclesiastical offices are punishable by the civil magistrate for the abuse of their ecclesiastical offices; and much more if they intrude upon the rights and prerogatives of the civil authority. 3rd,—They hold the pope to be antichrist, because he usurps the supremacy over kings and princes; and, therefore, all who defend the popish faith, and that are for tolerating their religion, are secret enemies of the king's supremacy. 4th,—That all archbishops, bishops, deans, officials, who hold their offices and functions at the king's will and pleasure, merely *jure humano*; and whosoever holdeth, that the

king may not remove them, and dispose of them at his pleasure, is an enemy to his supremacy.

Lord Bacon, 1605.—Lord Bacon cannot be considered a theoretical or sytematic writer on politics, for he has not developed any particular system of polity in his several political fragments or essays. But he has been rather an influential writer in the way of giving wholesome counsel both to legislators and the people; and his many pithy and profound sayings on the nature and duties of governments generally, have become the every-day proverbs, both in modern club-rooms, and in houses of parliament.

In Bacon's view, political knowledge was surrounded with great innate difficulties. He says, "Civil knowledge is conversant about a subject which of all others is most immersed in matter, and hardliest reduced to axiom. Nevertheless, as Cato the Censor said, 'That the Romans were like sheep, for that a man might better drive a flock of them, than one of them; for in a flock, if you could but get some few to go right, the rest would follow;" so in that respect moral philosophy propoundeth to itself the framing of internal goodness; but civil knowledge requireth only an external goodness; for that as to society sufficeth. And therefore it cometh oft to pass that there be evil times in good governments; for so we find in the holy story when the kings were good, yet it is added, 'Nevertheless, the people gave not their hearts to the Lord God of their fathers.' Again, states, as great engines, move slowly, and are not soon put out of frame; for as Egypt, the seven good years, sustained the seven bad, so governments, for a time well grounded, do bear out errors following; but the resolution of parti-

cular persons is more suddenly subverted. These respects do somewhat qualify the extreme difficulty of civil knowledge*."

Again, "Concerning government; it is a part of knowledge secret and retired; in both these respects in which things are deemed secret; for some things are secret because they are too hard to know, and some because they are not fit to utter. * * * We see the government of God over the world is hidden; inasmuch as it seemeth to participate of much irregularity and confusion. * * * But, contrarywise, in the governors towards the governed, all things ought, as far as the frailty of man permitteth, to be manifest and revealed. For so it is expressed in the scriptures, touching the government of God, that this globe, which seemeth to us a dark and shady body, is in the view of God as crystal. So unto princes and states, especially towards wise senates and councils, the natures and dispositions of the people, their conditions and necessities, their factions and combinations, their animosities and discontents, ought to be, in regard to the variety of their intelligences, the wisdom of their observations, and the height of their station, where they keep sentinel, in great part clear and transparent."

Bacon had high and venerable notions of royalty. He says, "Kings are mortal gods on earth; unto whom the living God hath lent his own name as a great honour." Again, he says, "Whoever honour them not, are next atheists, wanting the fear of God in their hearts." He gives them, however, a word of rebuke; for he tells us, "They are, of all men, they to whom God is

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the least beholden—He doing the most for them, and they, ordinarily, the least for Him*."

Bacon maintains, that one of the great drawbacks to wholesome legislation is, that those who have written of laws, have written of them either as philosophers or as lawyers, and but few as *statesmen.* The philosophers make imaginary laws for imaginary commonwealths, "And their discourses are as the stars, which give little light because they are so high." The lawyers, on the other hand, sin on the other tact, by looking at what law is, not what it ought to be. "The wisdom of a lawmaker consisteth not only in a platform of justice, but in the application thereof; taking into consideration by what means laws may be made certain, and what are the causes and remedies of the doubtfulness and uncertainty of law; by what means may be made apt and easy to be executed, and what are the impediments and remedies in the execution of them."

The great value of general learning and philosophy, in legislative matters, is very emphatically insisted on by Bacon. He remarks that, "For matter of policy and government, that learning should rather hurt than enable thereunto, is a thing very improbable. We see it is accounted an error to commit a natural body to empiric physicians, which commonly have a few pleasing recipes whereunto they are confident and adventurous; but know neither the causes of diseases, nor the complexions of patients, nor peril of accidents, nor the true method of cure. We see it a like error to rely upon advocates or lawyers, which are only men of practice, and not grounded in their books; so, by

* Essays.

like reason, it cannot be but a matter of doubtful consequence, if states be managed by empiric statesmen, not well mingled with men grounded in learning*."

Bacon's description of government is singularly characteristic of his genius and method of treating abstract subjects. "In Orpheus's theatre, all beasts and birds assembled; and, forgetting their several appetites, some of prey, some of game, some of quarrel, stood all sociably together, listening unto the airs and accords of the harp; the sound whereof no sooner ceased, or was drowned by some louder noise, but every beast returned to his own nature; wherein is aptly described the nature and condition of men, who are full of savage and unreclaimed desires of profit, of lust, of revenge: which, as long as they give ear to precepts, to laws, to religion, sweetly touched with eloquence and persuasion of books, of sermons, of harangues, so long is society and peace maintained; but if these instruments be silent, or sedition or tumult make them not audible, all things disolve into anarchy and confusion."

Sir Walter Raleigh is the author of two political works "Maxims of State," and "Prerogative of Parliaments," 1602. The latter treatise was not published till after his death. Sir Walter's idea of the nature of monarchy in general, and of the monarchy of England in particular, has often been a subject of remark, among politicians and historians. This idea was that the power of princes was absolute, and that the liberty of the legislative body was only apparent and derivative. In his "Maxims," Sir Walter says, "Monarchies are of two sorts, touching their power or authority; namely, 1st,—Entire, where the whole power of ordering all

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state matters, both in peace and war, doth by law and custom, appertain to the prince, as in the English kingdom; where the prince hath the power to make laws, league, and war; to create magistrates; to pardon life; of appeal, &c. Though, to give a contentment to the other degrees, they have a suffrage in making laws, *yet ever subject to the prince's pleasure and negative will.* 2nd,—Limited or restrained, that hath no full power in all the points and matters of state, as the military king that hath not the sovereignty in time of peace, as the making of laws, &c.; but in war only, as the Polonian king." Then a little further on the author observes, "In every just state, some part of the government is, or ought to be, imparted to the people, as in a kingdom, a voice and suffrage in making laws; and sometimes also of levying of arms (if the charge be great, and the prince forced to borrow help of his subjects), the matter rightly may be propounded to a parliament, that the tax may *seem* to have proceeded from themselves. So consultations and some proceedings in judicial matters may, in part, be referred to them. The reason, lest, seeing themselves to be in no number nor reckoning, they mistake the state or government." The same theoretical notion of political power is unfolded by Raleigh in his "Prerogative of Parliaments." The form of dialogue is here adopted: *Counsellor.*—"That which is done by the king, with the advice of his private or privy council, is done by the king's absolute power." *Justice.*—"And by whose power is it done in parliament, but by the king's absolute power? Mistake it not, my lord; the three estates do but advise as the privy council doth; which

advice,' if the king embrace, it becomes the king's own act in the one, and the king's law in the other."

These loose and indefinite notions of regal and popular authority, lay at the root of all the discussions of the times, and were the stock-in-trade of the greater part of the political writings, of an argumentative and doctrinal stamp, which issued from the press at the commencement of the revolutionary movement.

In 1605, we have a political romance, in the vein of Sir Thomas More, called, "Mundus alter et Idem," under the assumed authorship of Mercurius Britannicus, but, in reality, from the pen of Joseph Hall, Bishop of Exeter. In his political portraits and descriptions, he reverses the plan of Sir Thomas, by exhibiting the vices and imperfections of the natives of the country, and descanting, in an ironical tone, on the nature of their social habits and government.

The "Terra Australis" of Hall is divided into four principal territories; namely, *Crapulia* (the land of Independence); *Viraginia* (of Termagants); *Moronia* (of Fools); and *Lavernia* (of Thieves). The author describes this country as being rich in all that administers to the bodily wants of its inhabitants. Birds resort there in immense flocks, and, after a short time, they become so fat they cannot get out of the way of the sportsman. Geese are generated from the fallen leaves of trees, and lambs grow out of the earth, and, fixed on a stalk, immediately begin to graze on the surrounding herbage. The fish on the coast, when a line is thrown into the sea, cling to it in thousands, and are brought on the beach. The whole country groans with eatables of all kinds, and none are permitted to be exported.

No one is allowed the privilege of citizenship unless he has contributed something to the pleasures of the table. Husbandmen and artificers, when they have attained a certain rotundity of paunch, are promoted to corporation or municipal honours, to which none, in the first instance, are admitted, except cooks, bakers, tavern-keepers, and the great and sage senators of the city. None of the latter class of citizens are chosen for their wisdom, but solely for the magnitude of their bellies; the greater their size, the higher is the civic dignity.

In matters of general education, the customs of these people are different from ours. Instead of libraries, they have public repositories of tankards, in which cups of every size are arranged. Instead of books, goblets and dishes—the smaller ones for the *Freshmen*, and the other for *adults*.

The inhabitants have a formal *code of laws*; here is a sample of some of them. Law 4.—Any person guilty of fasting for four hours, shall be compelled to eat a double dinner; 6th,—Any one convicted of high treason to be starved to death; those guilty of more venial crimes, to have their teeth drawn; 7th,—Any cook sending up meat to table not fit to eat, shall be put in the pillory. These people have no money, but carry on their trade by barter; thus, two sparrows are equal to one starling; two hens, one goose; two lambs, one calf; two goats, one cow.

The grand duke or king of the country is elected solely from his *eating* qualifications. When he is elected he addresses the people, by declaring himself the most determined enemy to fasting, abstinence, short-allowance, and leanness. The great oath of

office is then administered to him—that he will take care that no one fasts with impunity, nor any debauchee go unrequited. "And now," says he, "by the holy greedy gut, be as merry and jolly as you can; may the successive potations from this goblet be auspicious, and may I always find you comfortably fuddled, and well crammed." So saying, all the people, cry out, "Long live the king; may he long increase in size." Forthwith the national insignia are delivered to him; a representation of an ostrich, devouring a piece of iron, with the inscription, "Digest and govern," and a large carving-knife, and a little golden flask, with the words, "Use and Enjoy," marked upon it. Over the portal of the Town's House, is the following inscription:

"Hæc domus est, lætá semper bonitate repleta;
Hic pax—hic requies—hic gaudia semper honesta."

"This hall is dedicated to wassail sweet,
Here peace—and bliss—and rest oblivious meet."

The traveller makes his escape from this portion of the country, and gets to another where the females perform all the offices of men. The civil constitution of these people is a pure democracy—every one is desirous of governing—not willing to obey. Everything is regulated by public suffrage; all speak at once, and none pay any attention to what their neighbour says. They have a *perpetual parliament*, and what is voted to-day, may be repealed to-morrow.

In the province of *Codicia* (the land of Avarice), there is a singular race of men, described as having faces like swine. They always walk with their faces downwards, lest anything worth picking up should

escape them; and their voice resembles grunting rather than speaking. This country seems inhabited by *old men*, the young men, if of an enterprising turn, betaking themselves to the forest of *Butinæ*, (Butinia); if studious, to the school of Bolsecium (cut-purse). Mining, agriculture, and merchandise, are the only trades exercised; and the persons following them, like the ravenous wolf, or the starving fox, feed upon the earth. Some, indeed, exist by looking on their metallic treasures. They scarcely ever sleep, and worship only one god—"The God of Wealth."

A short time after the appearance of this work, it was imitated by another, entitled "The Discovery of a New World, or a description of the South Indes, hetherto Vnknowne;" by an English Mercury. This has an engraved title-page, representing Mercury standing on a globe; and on the left page is a small map of the lands of *Tenterbelly* and *Fooliana*; and on the right *Sheeland* and *Sheemingen*. The work is divided into four books. The first contains the discovery of the land of Tenterbelly, Eat-allia, and Drink-allia; the wars of the Eat-alleans; the laws of the land; the religion of the people. Drink-allia is the second province of Tenterbelly; and here the author treats of the social and political condition of the inhabitants, and the arts and military discipline of these Drink-alls. The second book is devoted to a description of Sheelande or Womandocia, and of its situation and resources. The third book describes the discovery of Fooliana, and its locality and populousness, and the condition, character, and dress of the natives. The fourth book contains the discovery of Thee-wingen, and a description of it, together with the condition of the Robbers-walders.

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There was a sort of piracy of this work appeared in 1669, called "Potittacorum Regis; or the Land of Parrots, or the Shee-Islands." The only original portion of the work is that commencing from page 122, giving an account of the territories of the *Prince de l'Amour.*

ANDREWS, bishop of Winchester, was a writer employed by James I. to protect him from the pen of Cardinal Bellarmin, who had attacked his majesty's work, "Defence of the Right of Kings," under the signature of "Methew Tortus." Andrews had that peculiar quaint and pedantic method of handling everything, which agreed so well with James's mind and taste; and for this reason the bishop was selected to give a formal answer to the cardinal's attack. This was done in a treatise, Andrews styled "Tortura Torti," 1609, which pleased the king, and promoted the temporal advancement of the writer. Andrews wrote several other controversial tracts against both Bellarmin and Perron, which, though now little known, were in their day considered masterly things of their kind. Andrews was not of so slavish a turn of mind in his political capacity as several of his brethren of the cloth; on the contrary, his contemporaries give him the credit of being an upright and beneficent member of the episcopalian body. There is an anecdote told of his shrewdness and independent thinking. He, and Neale, bishop of Durham, were standing behind the king's chair, when James asked both bishops, "My lords, cannot I take my subjects' money when I want it, without all this formality in parliament." The bishop of Durham immediately replied, "God forbid, sir, but you should; you are the breath of our nostrils." On hearing this,

his majesty turned towards Andrews, and said, "My lord, what say you?" "Sir," replied the bishop, "I have no skill in parliamentary cases." The king said, "No puts-off, my lord; answer me presently." "Then, sir," rejoined Andrews, "I think it lawful for you to take my brother Neale's money, for he offers it." It is said that James was greatly amused by the answer.

JOHN MELTON'S "Sixfolde Politician, together with a Sixfolde Precept of Policy," (1609), has excited some curiosity among certain classes of public writers interested in tracing the growth of political opinion and sentiment. The work has been attributed to John Milton's father, but upon no authentic evidence. There is likewise a poem, published in 1613, called "The Uncasing of Machivil's Instructions to his Sonne, with the Answer to the Same," the author of which is not known, but which, from its rarity, has of late years been much sought after by book collectors. It is interesting, from the political opinions it contains.

It may be worthy of remark here, that the public press was officially closed against the sect of the puritans; and, in consequence of this, a private press was purchased by the party, and carried about from one place to another. It was first set up at Moulsey, in Surrey, then at Fawsley, in Northamptonshire, then at Norton, Coventry, Woolston, and Manchester; at which last place it was seized by the constituted authorities of the government.

CRACKANTHORP published, 1621, "The Defence of Constantine, with a Treatise on the Pope's Temporal Monarchy," in which there is a full collection of the testimonies of Romish writers against the temporal supremacy of the pope.

The struggle between James I. and his parliament, gave rise, in 1621, to the protestation of the commons, as to their powers and privileges as a legislative body. This important document is expressed in these words: "The Commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, and privileges of parliament, among others, here mentioned, do make this protestation following: "That, the liberties, franchises, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the people of England; and that the urgent and arduous affairs concerning the king, state, and defence of the realm, and of the church of England; and the maintenance and making of laws, and redress of mischiefs and grievances, which daily happen within this realme, are proper subjects and matter of counsel and debate in parliament; and that in the handling and proceedings of those businesses, every member of the house of parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same; and that the Commons in parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest, and that every member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than by censure of the house itself), for or concerning, any speaking, reasoning, or declaring of any matter or matters touching the parliament or parliament business. And if any of the said members be complained of, and questioned for anything done or said in parliament, the same is to be shown to the king by the advice and assent of all the Commons assembled in parliament,

before the king give credence to any private information."

BARCLAY'S "Argenis; or, the Loves of Poliarchus and Argenis," translated 1623, is one of the early records of political romancing. The chapters which have a direct bearing on politics, are the fourth, about the troubles of state; the fourteenth, on the evils which have followed the injudicious flattery of princes by poets; and the eighteenth, touching tribute and imposition of kings upon their subjects. "Where there be bounds of taking and bestowing, that law prescribed by nature, pointed out to every family, their bounds, their right, their office; and then the hope of pleasing and gratifying one the other, confirmeth that mutual league between the king and the subject; for the subject will willingly supply the king's treasure with his own wealth, rather than the king should execute extremity of justice, rashly make war, conclude peace, or bestow public offices upon loose and undeserving persons; there shall be their rewards, by which they shall gratify the noble disposition of their prince, and shall also be thankful for favours received and deserved others. And the king, likewise, shall do nothing that may hurt his subjects by strict or strange customes, expecting nothing from them by harsh or rigorous dealing. These are the most religious bands which join the king and subject together, and protects the flourishing government from injury and insolvency."

Argenis is prefigured as the daughter and heiress of Meliander, King of Sicily, and the work describes the war carried on to obtain her hand by two rival lovers,

Lycogenes, a dissipated subject of Meliander, and Poliarchus, Prince of Gaul.

It is generally considered that the work of Barclay's has a direct allusion to the political events which took place in France, in the war of the League; and that the hero Meliander is intended for Henry III.

It is requisite we should here, once for all, give a bird's-eye view of the question, legally considered, involved in what are called the "Test and Corporation Acts." These compromised the great principle of liberty of conscience, and stood in the way of a fair and equitable distribution of civil offices, power, and emoluments; and were, consequently, subjects of constant and acrimonious discussion among political writers. Some felt an interest in upholding, and others in bitterly inveighing against them. A few words as to how the question really stood, from the days of James I. till the year 1700, which closes this volume, will aid the general reader in comprehending more readily and fully, the scope and tenor of many of the political treatises subsequently treated of by British authors. This is one among hundreds of instances in the history of human progress, where the external measures of a government give rise to political discussions, and are instrumental in the development of abstract principles of polity, which would never have otherwise been thought of, but for the jolting interruption they give to the free exercise of the common faculties and desires of human nature. Legal barriers or obstacles to the currents of social movements are easily set up; but it requires years of unremitting intellectual labour and zeal to write them down, or render them obsolete.

The first *law*, requiring persons to receive the sacrament agreeably to the episcopal church, is that of the 3rd of James I. This was intended against papists, and against protestant dissenters, who up to this time, and for a considerable period afterwards, freely communed with their Anglican brethren. In fact, the old puritans dreaded an actual separation from the establishment; and in 1587, one of their rules had for its object to wipe off the imputation of separation, "inasmuch as *the brethren communicate with the church in word and in sacrament*, and in all other things except their corruptions." The nonconformists continued to frequent the episcopal communion-table, till the year 1645, when the presbyterian form of worship was established. After the Restoration, and even after the "Act of Uniformity," the presbyterian body, and other sects of christians, made no scruple to communicate with the episcopal church. In 1661, the "Corporation Act" was passed, by which it was enacted, that, "No person shall ever hereafter be placed, elected, or chosen, into any corporation, that shall not, within one year next after such election, have taken the sacrament of the Lord's Supper, according to the rites of the Church of England." The "Act of Uniformity" soon followed, by which two thousand ministers of the presbyterian church had, by the severity of its tests, to vacate their livings.

The parliament entertained, after the Restoration, a deep-rooted hatred to the catholic religion. Charles II. in order to ingratiate himself with the general mass of dissenters, issued a proclamation, suspending, by his own dispensing power, all the penal laws against dissent, and granted to the nonconformists the privilege

of building places of worship for themselves; and to the papists liberty to exercise their own religious rites in their own houses. When the king opened the session, however, he found the House not very tractable on the question; and when he called for money, the parliament not only proceeded to exclude catholics from all places of public trust in the kingdom, but in passing the "Bill of Supplies" for the year, the House tacked to the end of it, the famous "Test Act," and by this contrivance it became law.

This "Test Act" provided that "*every person who shall take any office, civil or military*, or shall receive any salary, pay, fee, or wages, by reason of any patent of his majesty, or shall be admitted into the family of his majesty, shall receive the sacrament of the Lord's Supper after the manner of the Church of England, within three months after their admittance into the said office. Any person convicted of offending against this act *is disabled from ever after suing in any court—from becoming guardian, executor, or administrator—from profiting by any legacy or deed of gift, or from bearing any office within England or Wales: and, in addition to these disabilities, is to forfeit five hundred pounds.*" Non-commissioned officers in the navy, petty constables, overseers of the poor, and some other smaller offices of a civil character, were exempted from the operations of the bill. Its preamble states that it was passed for preventing any dangers which might result from *popish recusants.*

At the Revolution of 1688, King William was anxious to effect a repeal of the Corporation and Test Acts. In his address to the parliament in 1689, he says, "I hope you are sensible there is a necessity of

some law to settle the oaths to be taken by all persons to be admitted to such places. I recommend it to your care, to make a speedy provision for it; and as I doubt not but that you will leave room for the admission of protestants that are able and willing to serve. This conjunction in my service will tend to the better uniting you among yourselves, and strengthening you against your common adversaries." The question, however, made no progress in his majesty's reign.

Charles I. ascended the throne in 1625. This was a most eventful reign in the history of the political literature of Britain, and indeed of the whole world. Here commenced, what had long been brewing in the mind of the nation, that bloody and severe struggle between the prerogatives of the crown, and the rights and privileges of the House of Commons.

The first fruits of this struggle was the "Petition of Right," 1628, which is thus worded by the petitioners: "We humbly showe unto our sovereign Lord the King, the Lord Spiritual and Temporal, and Commons, in Parliament assembled, That whereas it is declared and enacted by a statute made in the time of the reign of king Edward I. commonly called "Statutum de tallagio non concedendo," that no tallage or aid shall be levied by the king or his heirs in this realm, without the good-will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm: And, by authority of parliament holden in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That, from thenceforth, no person shall be compelled to make any loans to the king against his

will, because such loans are against reason, and the franchise of the land: And, by other laws of this realm, it is provided, that none should be charged by any charge or imposition called a benevolence, or by such like charge: By which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

"II. Yet, nevertheless, of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued; by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy council, and in other places; and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted: And divers other charges have been laid and levied upon your people, in several countries by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy council, against the laws and free customs of this realm.

"III. And whereas also, by the statute called "The great charter of the liberties of England," it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his

free customs, or to be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

"IV. And, in the eight and twentieth year of the reign of king Edward III. it was declared and enacted, by authority of parliament, That nō man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law.

"V. Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and when, for their deliverance, they were brought before justice, by your majesty's writs of *Habeas Corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

"VI. And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

"VII. And whereas also, by the authority of parliament, in the five and twentieth year of the reign of

king Edward III. it is declared and enacted, That no man shall be fore-judged of life or limb against the form of the *Great Charta* and law of the land: And by the said *Great Charta*, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament: And whereas no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm; Nevertheless, of late, divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murther, robbery, felony, mutiny, or other outrage or misdemeanour whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

"VIII. By pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if, by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

"IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this

your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborn to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid: Which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

"X. They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament: And that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof: And that no freeman, in any such manner as is before-mentioned, be imprisoned or detained: And that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burthened in time to come; and that the aforesaid commissions, for proceeding by martial law, may be revoked and annulled: And that hereafter no commissions of like nature may issue forth, to any person or persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

"XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm: And that your majesty would also vouchsafe to declare, That the awards, doings, and proceedings to the prejudice

of your people, in any of the premises, shall not be drawn hereafter into consequence or example: And that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom."

William Prynne, born in 1600, was another redoubtable champion for popular rights during the revolutionary crisis in England. He attended, in early life, the lectures of Dr. Preston, a learned and zealous puritan, and soon imbibed the leading principles of this political and religious party. Prynne commenced author in 1627, by attacking the leading principles of popery and Arminianism; a few years after, he wrote in opposition to theatrical exhibitions; and in this performance, entitled, "Histro-Mastix," he was accused of levelling some sarcasms at the queen, and a prosecution of the Star-Chamber was the consequence. Poor Prynne suffered severely. He was fined the sum of £5000, to be expelled the University of Oxford and Lincoln's Inn, to be degraded from his profession as a lawyer, to stand twice in the pillory, losing an ear each time, and to remain a prisoner for life. All this was dealt out to him in full measure, at the instigation, it is said, of Laud, who had smarted under the attacks of Prynne on episcopacy. He suffered with great constancy and resolution; and, even in prison, continued writing against prelacy, with all the ardour and bitterness imaginable. For one of these prison effusions, called "News from Ipswich," he was sen-

tenced again, by the same court, to pay a fine of £5000, and to be branded in each cheek with the letters S.L., (Seditious Libeller). This savage sentence was executed, and he was removed for safe custody to Caernarvon Castle, and afterwards to the Island of Jersey. He was not, however, to be daunted, even by these unprincipled punishments, for he continued still to wage war by his pen with his enemies and tormentors. When the parliament met in 1640, he was chosen representative for Newport, in Cornwall; his release was immediately granted, and he entered London in triumphal procession, demanding from the Commons full compensation for his sufferings and losses. His political writings are very numerous, and display great vigour and acuteness, and an ardent love of freedom.

Father Alexander Baillie.—"True Information of the Unhallowed Offspring, Progress, and Impoisoned Fruits of our Scottish Calvinian Gospel and Gospellers," 1628.—This is a work written against the Scottish Reformers, and embraces matter worthy of attention. It contains a bitter lamentation over the demolition of the religious houses and churches in Scotland.

Nathaniel Carpenter, dean in the Episcopal Church of Ireland, published in 1628, his "Ahithophel; or, the Picture of a Wicked Politician."

In 1630, Sir Dudley Diggs wrote his "Discourse concerning the Rights and Privileges of the Subject." The "Patriarcha, non Monarcha," under the signature of P.N.M. was printed in 1634.

John Selden's "Mare Clausum" appeared in 1635. This work is written with a view of showing, that it

is a cardinal point in the general policy of England to maintain the supremacy of the seas. The treatise was written in opposition to the work of Grotius, called "Mare Liberum," published a short time before. Selden gained great reputation in his day, by this profound and ably reasoned work. In 1640, he published his "De Jure Naturali et Gentium, juxta Disciplinam Ebræorum," the object of which is to trace the opinions of the Hebrews on the nature and application of those general rules or maxims of justice, which we call the law of nations.

Selden had for his aim, the reconciling the opinions of the High Church party with those of the general body of dissenters; a really sound and healthy policy was made up of divers opposite principles, none of which, singly, could be fully carried out to its ultimate results. Christianity was the basis of every scheme of polity; and its main features were those of unity, and a rational compromise of violent extremes. Everything should be done reasonably and considerately; "Union," says he, "is strength, and division is weakness."

He seems to have adopted the opinion of Filmer, that the patriarchal power was the greatest and earliest manifestations of political science known among mankind, and the foundation of all subsequent forms of social governments. "The patriarchal authority," says Selden, "which existed in Adam, Seth, Noah, Melchisedeck, Abraham, and other chief princes of that period, was extended to the judges and prefects, for they united the ecclesiastical and political power. Thus the authority of Moses was twofold; in one respect sacerdotal; in another, royal, and absolute in public dominition. Thus, under the theory of a pontifical

sovereign, or sacerdotal prince, he executed sacred and civil functions, as was the case with the patriarchal pontiffs, who succeeded in the line of primogeniture. It is, therefore, acknowledged that Moses was priest and king, and such pontifical emperors were the judges or prefects that succeeded him."

On the kingly and sacerdotal prerogatives, he favours the doctrine of divine right. "Many things," says he, "relating to the supreme authority, the royal primacy, and the power of the pope and king, occur in the books against Bellarmin, Tortus, Beccanus, and Suarez, in the reign of James, and some written by himself, in which is powerfully discussed the right of ecclesiastical jurisdiction and excommunication by the ancient laws and customs of the kingdom of Britain, exercised according to the regulations of the king, and the royal law, and no otherwise. This power of the keys and the right of excommunication, they attribute to the king alone, as the sovereign ruler and governor, as the laws of this realm, as the courts of ecclesiastical jurisdiction acknowledge,—all which is expressly asserted by that admirable, learned, and exemplary divine, Bishop Andrews, in his answer to Bellarmin*." Again, "as the supremacy of princes and their governments is delegate from the highest, their judgments being only his, so in a general sense they are entitled gods, even by God himself, because here on earth they should, for their power, be his imitators; and therefore they may, in this sense, be entitled divine and sacred."

He does not, however, abide very consistently by these maxims, for we find him laying down the nature

* De Synedriis.

of the kingly office upon as broad and popular a foundation as Locke himself would have done. "A king," says Selden, "is a thing men make for their own sakes—for greatness' sake. They grant him certain high privileges and powers; but it is upon *condition* that he should guard their liberties and administer their laws. The moment he neglects either, he has broken the condition, and his privileges are forfeited. *Ipso facto*, he is reduced to the liabilities of a subject. It matters little whether such a delinquent's crimes appear in the form of murder, rape, or general tyranny. He has disregarded the purpose for which he was raised to the throne, and no reason, either technical or moral, can convince the understanding that he has not degraded himself, or is not justly brought within the power of the law he has despised."

JOHN LILBURNE.—This was one of the most remarkable personages who figured among the republican party of the times. He was brought up to be a clothier in the city of London, but his early enthusiasm having been raised to a high pitch by a perusal of the "Book of Martyrs," he rushed at once into the arena of politics, in search of glory and renown. He was employed by the famous Dr. Bastwick, then suffering from Star-Chamber prosecution, to get anti-episcopal pamphlets printed in Holland. This he accomplished with great secrecy and effect. Soon after his return, he commenced writer himself, and adopted the same surreptitious mode of publication, but being betrayed by an accomplice, he was, himself, brought under the cognizance of the Star-Chamber, and doomed to receive *five hundred* lashes, and to stand in the pillory. This sentence was carried into effect in April, 1638. His

demeanour before the tribunal was so resolute and determined, that he refused to answer all interrogatories, except by declaring that he stood there to demand the *privileges of an Englishman.* This conduct obtained for him the appellation of "Free-born John." When in the pillory, he poured forth invectives against his persecutors, and threw political pamphlets from his pockets among the crowd. He was sent back to prison, and heavy irons placed on him; but even in this depressed condition, he contrived to get another political missile thrown at his tormentors. On the assembling of the long parliament, the sentence upon Lilburne was pronounced to be barbarous and illegal, and that reparation should be awarded him for his sufferings and losses. He then entered the republican army as a volunteer, and displayed great courage and gallantry at the battle of Marston-moor. Feeling dissatisfied with the political movements and measures of Fairfax and Cromwell, he threw aside the sword and took up his pen, and forthwith published some bitter invectives against the leading men of his own party. He was committed to Newgate for contempt; but even here he still contrived to publish his tracts in rapid succession, hurling defiance even to Cromwell and Ireton, against both of whom he preferred a charge of high treason. This brought him again before the courts, and he was tried for sedition and scandalous practices; but so popular had he become, that the House of Commons thought it the more prudent course to discharge him, and give him compensation for his sufferings. On the death of Charles, he drew up, himself, a new constitution, and one of the prominent features of it was, the rights of the people against the

army. Of the military spirit, Lilburne entertained a deep-seated jealousy; so much so, indeed, that he would scarcely allow the slightest manifestation of it, in the civil affairs of the commonwealth. It was this intense hatred of the soldier's rule that inflamed the hatred of Cromwell, who both feared and dreaded him. And so dangerous did he appear in the eyes of the protector and his council, that Lilburne was again committed for high treason, but having the good fortune to be tried before a special committee, he was acquitted. This inspired the accused with fresh ardour, and he again began to lash the parliamentary leaders in his political squibs to such an extent, as drew upon him the vengeance of this body, and he was heavily fined, and ordered to quit the kingdom forthwith. He retired to Holland, and remained there till the parliament was dissolved. But venturing back again, without being able to procure a passport, he was apprehended, tried at the Old Bailey, when, after an able self-defence, he was again acquitted. He was, however, ordered to leave the country, but giving good bail for his future conduct, he was allowed to remain. He became quaker, and preacher, and died at the early age of thirty-nine.

His writings are very numerous, and many of them are exceedingly amusing. They display great energy and acuteness, though their general character is that of rudeness and vulgarity. He had a general plan of his own, neither, however, very comprehensive or well defined, of a system of civil government, to which he was enthusiastically attached; and this was ever uppermost in his mind, and everything like compromise was repugnant to his ardent and uncontrollable temper.

But that he was strictly honest and sincere in the prosecution of his own views, his bold and indomitable conduct is a sufficient attestation.

Sir John Birkenhead published a journal at Oxford, about 1640, called "Mercurius Aulius," in favour of the cavalier party of politicians. Being expelled from this city by the parliamentarians, he went to London, and wrote a multitude of pasquinades against the enemies of the royal cause; for which he was several times imprisoned. At the restoration, he was rewarded by being made Master of Requests.

John Sadler wrote a work, in 1649, called the "Rights of the Kingdom; or, Customs of our Ancestors," which was a great favourite with Oliver Cromwell, who patronised the author. The same writer published "Albia; or, the new Island lately Discovered," a political romance, of rather an interesting description.

Peter Heylin.—This writer was a well-known personage during the civil wars. He advocated the principles of Charles I. with great zeal and acrimony. He was the author of a number of political tracts, which will be found among his miscellaneous works, printed in folio, 1682. He likewise established a weekly paper, in behalf of the king's cause, which was published at Oxford.

Marchant Needham was another of the stirring and zealous political pamphleteers of the civil wars. He was born near Oxford in 1620. He commenced a paper against the cause of Charles I., entitled "Mercurius Britannicus," in which he promulgated the liberal doctrines of the reformers without qualification or compromise. But after the battle of Naseby, he took a sudden turn, and published a paper called

"Mercurius Pragmaticus," in which he libelled without mercy, all his former friends and supporters. When the parliamentary party were again on the ascendant, they sent him to prison; but not feeling comfortable here, he turned a third time, and in his "Mercurius Politicus," unsaid everything he had said before. This sunk him very low, and he was advised by his few friends, to leave the country, which he did; but on obtaining his pardon he returned again, and died in 1678.

A well-known writer on English literature remarks that "Marchant Needham, the great patriarch of newspaper writers, was a man of versatile talents and more versatile politics, a bold adventurer, and most successful, because the most profligate of his tribe. From college he came to London; was an usher in Merchant Taylor's School; then an under-clerk in Gray's Inn; at length studied physic and practised chemistry; and, finally, he was a captain, and in the words of honest Anthony Wood, 'siding with the rout and scum of the people, he made them weekly sport by railing at all that was noble in his intelligence, called 'Mercurius Britannicus,' wherein his endeavours were to sacrifice the fame of some lord, or any person of quality, and of the king himself, to the beast with many heads.' He soon became popular, and was known under the name of Captain Needham of Gray's Inn; and whatever he now wrote was deemed oracular. But whether from a slight imprisonment for aspersing Charles I., or some pique with his own party, he requested an audience on his knees with the king, reconciled himself to his majesty, and showed himself a violent royalist in his 'Mercurius Pragmaticus,' and galled the Presbyte-

rians with his wit and quips. Some time after, when the popular party prevailed, he was still further enlightened, and was got over by President Bradshaw as easily as by Charles I. Our mercurial writer became once more a virulent presbyterian, and lashed the royalists outrageously in his 'Mercurius Politicus:' at length, on the return of Charles II., being now conscious, says our friend Antony, that he might be in danger of the halter, once more he is said to have fled into Holland, waiting for an act of oblivion. For money given to a hungry courtier, Needham obtained his pardon under the great seal. He latterly practised as a physician among his party, but lived universally hated by the royalists, and now only committed harmless treasons with the College of Physicians, on whom he poured all that gall and vinegar which the government had suppressed from flowing through its natural channel*."

Charles being now, 1648, brought to the block, for his alleged violations of the rights of the people and the parliament, the *Commonwealth* commenced, under the direction of Oliver Cromwell and his army.

It is acknowledged by most writers on public affairs, that this revolutionary period, was a very critical one for the liberties of the nation. Public opinion on some of the fundamental principles of legislation had arrived at that point, which called for some firm and absolute decision respecting them. Religious feeling and sentiment were the active elements which raised the nation to a sense of its duty and political interests. The independent, the presbyterian, and the puritanical principles of civil and religious liberty, were held in

* Disraeli.

abeyance during the reign of Elizabeth; but became more prominently active and vigorous, in the reign of her successor, James I. During the sway of the unfortunate Charles I., and till he fell by the hand of the executioner, the great body of the English nation never once relaxed their efforts in the cause of popular right, and religious toleration. Cromwell, himself, says, that whatever might be the efficient and proximate causes of the commencement of the civil war, yet God soon brought it to a religious issue; and he constantly affirms, that amidst the contentions, and dangers, and sacrifices of war, the reward which he and his followers always had before them, was the freedom of worshipping God according to their conscience.

Section III.

From the death of Charles I. to the year 1700.

In the reign of Charles I., and during the Commonwealth, and even for a considerable time afterwards, it must be kept in remembrance, that there were floating in the public mind five distinct systems of church government; namely, Popery, Diocesan Episcopacy, Presbyterianism, Independency, and Erastianism. Each of these ecclesiastical forms sought to mould or modify civil liberty and political right in some fashion or other; and hence the writers of each system naturally adopted that particular political theory which was more or less in harmony with their respective views of church policy.

The execution of the king was, of itself, one of the most important political events the world ever witnessed. It imparted to the public mind of Europe new views of the ends or purposes of governments, and of the reciprocal duties of citizenship which spring out of, and sustain them. There can be little doubt, but that the writings which had previously appeared in England, and even on the continent, relative to the lawfulness and expediency of punishing royalty, when neglectful of its sacred and weighty obligations, had made a deep impression on the minds of the speculative politicians of the day, of all shades of party and opinion. The old ideas of irresponsible power had been greatly weakened by the repeated and eager discussions of various theories and schemes of general polity. The treatises on the subject had been numerous even in our own country; and the more scientific part of them had so clearly and forcibly developed the abstract nature of monarchical rule, that men, for the first time in their history, saw the justice, as well as necessity, of putting some limitation to royal prerogatives and privileges. Regal punishment, which appeared, at first, a daring and impious doctrine, soon became the current train of public thought, and the every day conversation of the multitude. Whether Charles fully merited to be selected as the first example of national vengeance, is not the proper view of the matter. It was the principle embodied in the people's right and power to bring to trial and pronounce judgment, that constituted the vital question at issue. Whether his death was justifiable or not, judged by the number and enormity of his own delinquencies, certain it is, that the event gave birth, shortly

after his execution, to the most elaborate development of political doctrines. The discussions on the justice and policy of his end, gave rise to treatises on the nature of general government, and social institutions, of inestimable value and importance.

Dr. Gauden, was the person who published, in 1648, "Eikon Basilike; or, the Portraiture of His Sacred Majesty in his Solitude and Sufferings." It is now generally understood that Gauden wrote a great part of this work*. It contains a defence of the king, which, in many parts, is very touching and affecting.

The lines written by Charles, when confined in Carisbrook Castle, are interesting. They are in the form of an address to the Deity. The verses, descriptive of the political questions at issue between himself and his people, are here transcribed.

"Nature and law, by thy divine decree,
The only root of righteous royaltie,
With this dim diadem invested me.

"With it, the sacred sceptre, purple robe,
The body unction, and the royal globe;
Yet I am levell'd with the life of Job.

"The fiercest furies, that do daily tread
Upon my grief, my grey discrowned head,
Are those that owe my bounty for their bread.

"They raise a war, and christen it *the cause*,
While sacrilegious hands have best applause,
Plunder and murder are the kingdom's laws.

"Tyranny bears the title of taxation,
Revenge and robbery, are reformation,
Oppression gains the name of sequestration.

* See on this subject, Nichol's Lit. Anecdotes, and Lang's Scotland; also, "Who wrote Eikon Basilike?" by Dr. Wordsworth. London, 1824.

"My loyal subjects, who, in this bad season,
Attend me, (by the laws of God and reason,)
They dare impeach, and punish for high treason.

"Next at the clergy do their furies frown,
Pious episcopacy must go down,
They will destroy the crosier and the crown.

"Churchmen are chain'd, and schismaticks are freed,
Mechanicks preach, and holy fathers bleed,
The crown is crucified with the creed.

"The church of England doth all factions foster,
The pulpit is usurpt by each imposter,
Extempore excludes the *Pater-noster*.

"The Presbyter and Independent seed
Springs with broad blades. To make religion bleed,
Herod and Pontius Pilate are agreed."

ARCHBISHOP USHER wrote in defence of Charles I., "The power of the Prince, and the Obedience of the Subject," a work of some little note in its day.

JOHN MILTON was one of the chief leaders of the puritan writers, and a complete host in himself. His first political writings relate to church government. Up to his thirty-eighth year, he had published five distinct tracts on this subject. They roused the ire of many of the established clergy. In 1644 he published his speech on the liberty of the press, under the title of "Areopagitica, a Speech of Mr. John Milton for the Liberty of Unlicensed Printing." This was a spirited and argumentative defence of this great bulwark of the freedom and happiness of nations.

After the trial and execution of Charles I., he entered into a defence of this measure, in a tract, called "The Tenure of Kings and Magistrates." Here he lays down the right of citizens to put "a tyrant or

wicked king," to death, on due conviction, "by any who possess the power," should the ordinary magisterial authority be insufficient for the purpose. The work is not a general plea for regicide, nor an attack on the late king, but it simply lays down the principle, that when rulers are insensible to the miseries of the people, and unblushingly tyrannise over them in every possible way, that resistance becomes then a duty, and punishment justifiable. Milton defends himself from the charge of making a general onslaught on the office of monarchy; and remarks in his "Second Defence of the People of England," in reference to the favourable reception which Christiana, Queen of Sweden, gave to his first "Defence," "That when the critical emergencies of my country demanded that I should undertake the arduous and invidious task of impugning the rights of kings, I should meet with so illustrious, so truly a royal evidence to my integrity, and to this truth, that *I had not written a word against kings, but only against tyrants, the spots and pests of royalty.*" This "Tenure of Kings," has been considered one of the most ably reasoned of Milton's political works, particularly from his having placed the great principles of constitutional law, treated of by previous writers, in so clear and convincing a point of view. Mr. Phillips tells us, "This treatise, reviving the fame of other things Milton had formerly published, he was more and more taken notice of for his excellency of style, and depth of judgment; and courted into the service of the commonwealth."

In 1649, Milton, at the request of the council of state, wrote his "Iconoclastes," in answer to the "Eikon Basilike," of Charles I. Milton tells us, that

his object in writing this answer to the royal defence was, "not a desire to descant on the misfortunes of a person fallen from so high a dignity; nor, by the fond ambition, or the vanity to get a name, present or with posterity, by writing against a king; but for their sakes, who, through custom, simplicity, or want of better teaching, have not more seriously considered kings than in the gaudy name of majesty, and admire them and their doings, as if they breathed not the same air with other mortal men." This work led Milton into a controversy with Salmasius, who, in defence of Charles I., wrote his "Defensio Regia." Milton's reply to this, was his "Defensio pro Populo Anglicano," which made its appearance in 1651. This reply extended the reputation of the poet beyond the limits of his own country; for many distinguished men in foreign courts complimented him on his learned and unanswerable statements and arguments. The work was translated into Dutch, and likewise French; but the learned doctors of the Sorbonne caused it to be burnt, first at Paris, and then at Toulouse. Christina of Sweden, admired this "Defence" so much, that it has been said, that she dismissed with indignity, the author's opponent, Salmasius, from her court. But this work of the great poet's is, unquestionably, disfigured by great blemishes. It is tedious and prolix; it often wanders from the grand question at issue; his attempts at wit are often miserable failures; and there is no small portion of indelicate and coarse vituperation strewed up and down the performance, unworthy of his reputation and character. Still, with all these, and many other drawbacks, we find a rich vein of learning and sound reasoning; and the main

principles of his theory of what a just and equitable government should be, are clearly and forcibly developed.

In 1659, Milton published his "Treatise of Civil Power in Ecclesiastical Causes," and his "Considerations touching the best Means of removing Hirelings out of the Church." Shortly after, when General Monk held the supreme power of the state in his hands, by virtue of the army, Milton addressed a tract to him, entitled, "Brief Declaration of a Free Commonwealth Easy to be put in Practice, without Delay;" and this was soon followed by another, called a "Ready and Easy Way to Establish a Free Commonwealth;" in both of which publications he pleads for a republic in preference to a monarchy. His counsel, however, was not heeded. The Restoration came, and Milton retired into a place of concealment, there to meditate on, and bring to perfection, that production of his lofty muse, which has rendered his name immortal.

Amongst the collection of proclamations now in Chetham's Library, is one (No. 557), a black letter broadside of the year 1660, commanding the calling-in and suppression of two works by the author of "Paradise Lost," and a third book by a less eminent writer. This state paper runs thus:

"A proclamation for calling in and suppressing of two books written by John Milton; the one intituled, 'Johannis Miltoni Angli pro Populo Anglicano Defensio contra Claudii Anonymi, alias Salmasii, Defensionem Regiam;' and the other in answer to a book intituled, 'The Pourtraiture of his Sacred Majesty in his Solitude and Sufferings;' and also a third book in-

tituled 'The Obstructors of Justice,' written by John Goodwin, 1660."

"By the king.

"A PROCLAMATION.

"For calling in, &c.
"Charles R.

"Whereas John Milton, late of Westminster, in the county of Middlesex, hath published in print two several books, the one intituled 'Johannis Miltoni Angli, pro Populo Anglicano Defensio, contra Claudii Anonymi, alias Salmasii Defensionem Regiam;' and the other in answer to a book intituled 'The Pourtraiture of his Sacred Majesty in his Solitude and Sufferings;' in both of which are contained sundry treasonable passages against us and our government, and most impious endeavours to justifie the horrid and unmatchable murder of our late dear father of glorious memory.

"And whereas John Goodwin, late of Coleman-street, London, clerk, hath also published in print a book intituled 'The Obstructors of Justice,' written in defence of the traiterous sentence against his said late majesty. And whereas the said John Milton, and John Goodwin are both fled, or so obscure themselves that no endeavours used for their apprehension can take effect, whereby they might be brought to regal tryal, and deservedly receive condigne punishment for their treasons and offences.

"Now to the end that our good subjects may not be corrupted in their judgments with such wicked and traiterous principles as are dispersed and scattered throughout the before-mentioned books, we, upon the motion of the commons in parliament now assembled,

do hereby streightly charge and command all and every person and persons whatsoever, who live in any city, burrough, or town incorporate within this our kingdom of England, the dominion of Wales, and town of Berwick-upon-Tweed, in whose hands any of those books are, or hereafter shall be, that they, upon pain of our high displeasure and the consequence thereof, do forthwith, upon publication of this our command, or within ten dayes immediately following, deliver, or cause to be delivered, to the mayor, bayliffs, or other chief officer or magistrate, in any of the said cities, burroughs, or towns incorporate, then to the next justice of peace adjoining to his or their dwelling or place of abode; or if living in either of our universities, then to the vice-chancellor of that university where he or they do reside.

"And in default of such voluntary delivery which we do expect in observance of our said command, that then and after the time before limited expired, the said chief magistrates of all and every the said cities, burroughs, or towns incorporate, the justices of peace in their several counties, and the vice-chancellors of our said universities respectively, are hereby commanded to seize and take all and every the books aforesaid, in whose hands or possession soever they shall be found, and certifie the names of the offenders unto our privy councel.

"And we do hereby also give special charge and command to the said chief magistrates, justices of the peace, and vice-chancellors respectively, that they cause the said books which shall be so brought into any of their hands, or seized or taken as aforesaid, by virtue of this our proclamation, to be delivered to the re-

spective sheriffs of those counties where they respectively live, the first and next assizes that shall after happen. And the said sheriffs are hereby also required in time of holding such assizes, to cause the same to be publicly burnt by the hand of the common hangman.

"And we do further streightly charge and command that no man hereafter presume to print, vend, sell, or disperse any of the aforesaid books, upon pain of our heavy displeasure, and of such further punishment, as for their presumption in that behalf, may any way be inflicted upon them by the laws of this realm.

"Given at our court at Whitehall, the thirteenth day of August, in the twelfth year of our reign, one thousand six hundred and sixty.—God save the King.

"London: printed by John Bill, printer to the King's most Excellent Majesty. 1660*."

Milton's notions of religious establishments, may be found in his work, called, "Reasons of Church Government." He thinks the bishops dangerous in a political point of view. "Indeed," says he, "they stand so opportunely for the disturbing or the destroying of a state, being a knot of creatures, whose dignity, means, and preferments, have no foundation in the gospel, as they themselves acknowledge; but only in the prince's favour; whence it must needs be, they should bend all their intentions and services to no other ends to his; and if it should happen that a tyrant (God turn such a scourge from us to our enemies,) should come to grasp the sceptre, here were his spearmen and his lances; here were his firelocks ready;

* £10 has recently been given at public sales for an original copy of this Proclamation.

he should need no other pretorian band nor pensionary than those, if they could once, with their perfidious preachments, awe the people." Still more striking is the following denunciation of an episcopal hierarchy. "But they—that by the impairing and diminution of the true faith, the distress and servitude of their country, aspire to high dignity, rule, and promotion here, after a shameful end in this life (which God grant them!), shall be thrown down eternally, into the darkest and deepest gulph of hell; where, under the despiteful control, the trample and spurn of all the other damned, who, in the anguish of their torture, shall have no other ease than to exercise a raving and beastial tyranny over them, as their slaves and negroes, they shall remain in that plight for ever, the basest, the lowermost, the most dejected, most underfoot, and down-trodden vassals of perdition*."

The following lines on the "Forcers of Conscience," are powerfully and indignantly expressed.

"Because you have thrown off your prelate lord,
And with stiff vows renounced his Liturgy,
To seize the widow'd whore Plurality
From them whose sin ye envied, not abhorr'd;
Dare ye for this abjure the civil sword
To force our consciences that Christ set free,
And ride us with a classic hierarchy,
Taught ye by mere A. S. and Rotherford?
Men, whose life, learning, faith, and pure intent,
Would have been held in high esteem with Paul,
Must now be named and printed heretics,
By shallow Edwards and Scotch what d'ye call:
But we do hope to find out all your tricks,
Your plots and packing worse than those of Trent
That so the Parliament

* Treatise on Reformation, vol. i. p. 274.

May, with their wholesome and preventive shears,
Clip your phylacteries, though baulk your ears,
And succour our just fears.
When they shall read this clearly in your charge,
New Presbyter is but Old Priest writ large."

Milton seems to have had, however, but very limited and contracted notions as to the nature and importance of representative governments. He expresses his approbation of the Long Parliament after Richard Cromwell's deposition; and strenuously contends for the privilege of members of parliament being chosen for life*.

There were a great number of publications written in answer to Milton, and on his controversy generally with Salmasius; but the most celebrated of these are the "Animadversions" of Sir Thomas Filmer, and the "Regii Sanguinis Clamor ad Cœlum ad versus Parricidos Anglicanos," of Peter du Moulin.

Milton was a political writer from principle, not from impulse. He was deeply skilled in the most profound maxims and theories of civil right and obligation. The depth and variety of his learning are exhibited in every political production from his pen; indeed, his chief fault lies in the exuberance of his erudition and illustrations. It impedes instead of strengthens the force of his arguments and conclusions. He is like a mighty giant in armour, unassailable by single combat, but ineffective for prompt and active conflict. This circumstance operated unfavourably for the popularity and influence of his writings in his own times. He shoots over the heads of his contemporaries. His sentences are often so long and intricate,

* Prose Works, p. 441, *et seq.*

and his imagery so much overlayed by classical allusions, that even men of some reading in his own lifetime, could scarcely comprehend him on a first perusal. We find very little in his political speculations of what goes commonly under the denomination of theory. Of genuine philosophical talent and analysis he was remarkably deficient. But still there are passages in his writings on public affairs, so magnificent and powerful, that anything to compare with them cannot be found in any other writer, either before or since his day.

But that which is his highest praise as a political writer, is his real disinterestedness, and patriotic devotion to what he considered the truth, and the public weal. His own language on this point is noble and deeply affecting. "No one ever knew me either soliciting anything myself, or through the medium of my friends; no one ever beheld me in a supplicating posture at the doors of the senate, or the levees of the great. I usually kept myself secluded at home, where my own property, part of which had been withheld during the civil commotions, and part of which had been absorbed in the oppressive contributions which I had to sustain, afforded me a scanty subsistence. My hands were never soiled with the guilt of peculation; I never was even an obolus the richer by those exertions which you most vehemently traduce. I invoke the Almighty to witness, that I never at any time wrote anything which I did not think agreeable to truth, to justice, and to piety. This was my persuasion then, and I find the same persuasion now. Nor was I ever prompted to such exertions by the influence of ambition, or the lust of lucre or of praise; it

was only by the conviction of duty, and the feeling of patriotism, a disinterested passion for the extension of civil and religious freedom*."

Milton seems to have entertained lofty and magnificent hopes of the future destinies of political science, and the future pleasures which await all those who honestly and intelligently promote its development and extension. "In that futurity," says he, "amid the hymns and hallelujahs of saints, some one may perhaps may be heard, offering as high strains in new and lofty measures, to sing and celebrate the divine mercies and marvelous judgments in this land, throughout all ages; whereby this great and warlike nation, instructed and inured to the fervent and continual practice of truth and righteousness, and scattering far from her the rags of her old vices, may press on hard to that high and happy emulation, to be found the soberest, wisest, and most christian people at that day, when Thou, the Eternal, and shortly expected King, shalt open the clouds to judge the several kingdoms of the world; and distributing national honours and rewards to religious and just commonwealths, shall put an end to all earthly tyrannies, proclaiming thy universal and mild monarchy, through heaven and earth. Then they, assuredly, that by their labours, counsels, and prayers have been earnest for the common good of religion and their country, shall receive, above the inferior orders of the blessed, the regal addition of principalities, legions, and thrones, into their glorious titles; and in super-eminence of beatific vision, progressing the dateless and irrevoluble circle of eternity, shall clasp inseparable hands with joy and bliss in over-measure for ever."

* Second Defence, p. 238.

JOHN GOODWIN was a political writer in the civil wars, of great zeal, but of great coarseness, and virulence. He published, "Anti-Cavalierisme; or, Truth Pleading the Necessity, as the Lawfulness of this Present War, for the Suppressing that Butcherly Brood of Cavaliering Incendiaries," &c. "The Butcher's Blessing; or, the Bloody Intentions of Romish Cavaliers against the City of London;" "The Obstructors of Justice." This last work was inserted in the proclamation against Milton's works.

JOHN PHILLIPS, a nephew of Milton's, was an active political pamphleteer, of coarse mind and unsteady principles. He served all parties by turns; and even insulted the memory of his venerable uncle, within two years of his death. In 1697, he celebrated the accession of William to the throne, as *Augustus Britannicus*, in a poem "On the Peace of Ryswick." He died in 1704.

CLEMENT WALKER was another political author in these troubled times. He was of rigid presbyterian principles, and opposed the movements of the independent party, with all his energy and zeal. In 1648, he published his "History of Independency," which provoked Cromwell and his friends to the highest pitch of wrath and bitterness. Walker followed this up with another work called "Cromwell's Slaughter House," which ultimately caused him to be sent to prison, where he died in 1651.

HENRY CARY, Earl of Monmouth, published in 1646, "Political Discourses," which were considered in their day as able and spirited productions.

HIAM.—The proper name of this political writer is said to have been ABIEZER COPPE. He was a native

of Warwick, and post-master of Merton College, Oxford. He was violent and fanatical in the extreme, and, after the overthrow of the established Episcopal Church, gave himself up to the wildest excesses of the presbyterian party. He gave his political pamphlets singular names. One was published in 1648, in London, entitled, "Two or three Days before the Eternal God thundered at Great St. Helen's;" and another, dated 1650, he called "The Fiery Flying Roll." For this he was committed to Newgate, where he was detained for about a year; when, upon publishing a recantation, under the title of "The Wings of the Fiery Flying Roll Clipped; or, Coppe's Return to the Way of Truth," he was set at liberty.

The political tract called "Killing no Murder," attributed to Col. Titus*, was an influential production during the protectorate. It was what is called *well-timed*, and excited more attention than any other political effusion of the day. It was aimed at Cromwell, who, historians affirm, never regained his former flow of spirits after its appearance.

The work is dedicated to him, and the following is a quotation from the ironical preface: "To your highness justly belongs the honour of dying for the people; and it cannot chuse but be an unspeakable consolation to you in the last moments of your life, to consider with how much benefit to the world you are likely to leave it. It is then only, my lord, the titles you usurp will be yours. You will then be, indeed, the deliverer of your country, and free it from bondage little inferior to that from which Moses delivered his†."

* A Col. Sexby is said to have been the real author of this work.

† See the collection of what is called the "King's Tracts," in the British Museum, which contains a vast number of political tracts, between the years 1640, and 1641.

The following passages are taken from this curious production, "All remedy therefore, against a tyrant is *Ehud's dagger*, without which all our laws were fruitless, and we helpless. This is that high court of justice where *Moses* brought the Egyptians, whither *Ehud* brought *Eglon*; *Samson*, the *Philistines*; *Samuel*, *Agag*, and *Jehoida*, the she-tyrant *Athaliah*." The writer then goes on in his pamphlet to illustrate this general position, as to the right and expediency of killing tyrants, by a reference to the scripture history of these persons mentioned. In another part of the tract is the following pointed passage as to the justice of taking Cromwell's life.

"Some I find of a strange opinion, that it were a generous and a noble action to kill his highness in the field; but to do it privately, they think it unlawful, but know not why; as if it were not generous to apprehend a thief till his sword were drawn, and he in a position to defend himself, and kill me. But these people do not consider, that whosoever is possessed of power, any time, will be sure to engage so many either in guilt, or profit, or both, that to go about to throw him out, by open force, will very much hazard the total ruin of the commonwealth. A tyrant is a devil, that tears the body in exorcising, and they are all of *Caligula*'s temper, that if they could, they would have the whole frame of nature fall with them. It is an opinion that deserves no refutation, than the manifest absurdity of itself, that it should be lawful for me to destroy a tyrant with hazard, blood and confusion, but not without."

Bishop Sancroft, well-known as one of the seven bishops, committed to the Tower by James II. for

his conscientious attachment to the laws of his country, published in 1652, his "Modern Politics, taken from Machiavel, Borgia, and other Modern Authors, by an Eye-witness." This work is highly interesting and curious, when viewed in connection with the political feelings and sentiments of the times.

BAXTER wrote his "Holy Commonwealth," about 1650. He acted with the Cromwell party; but it was always understood that he was favourable to the monarchical form of government, guarded by sufficient securities. He was persecuted by the relentless judge Jeffreys; fined 500 marks, and confined eighteen months in prison.

At the restoration of Charles II., commencing in 1660, republican sentiments were again thrown comparatively into the shade. All classes seemed eager to adopt monarchical ideas and theories of government, and to give once more nearly an absolute license to royal authority. We now find the same class of political writings on the kingly prerogatives, which were so numerous in the reign of his father.

The controversy on the nature of ecclesiastical government, and of the modes and degrees in which it effected the civil rights and privileges of the people, was of such an intense and engrossing kind, that it has been computed that, within the twenty years, from 1640 till 1660, not less than *thirty thousand* pamphlets and treatises issued from the press on the subject*. And we find that in the reign of James II. there were published *one thousand* distinct dissertations for and against popery, and developing the general principles of toleration†.

* Macaulay.

† See Catalogue, by Francis Peck, London, 1735.

THOMAS HOBBES.—"De Cive," 1642; "De Corpore Politico," 1650; "Leviathan," &c. Hobbes is one of the most distinguished political writers of the seventeenth century. According to his system, civil society is not a natural thing; for though men may have a certain feeling towards each other's society, this does not prove that they are fit for it, nor that they will readily comply with its formal rules and regulations. Nature has not made a very great distinction among men as to bodily vigour and knowledge. There is, therefore, no ground for any superiority among them. But their passions and desires vary considerably; some are full of notions of pride and vain glory, and seek for distinction and power; and others, again, are content with equal rights and privileges. This creates contention; and, consequently, society is really in a state of warfare.

There must be a controlling power in the state to punish violent conduct among the members of a community; for, without this power, every man will rely on his own strength or skill. This power must be in the hands of one man; for, if conferred upon a multitude, it will prove abortive.

According to Hobbes, sovereign power can neither be limited nor divided; and there can only be three forms of a commonwealth; monarchy, aristocracy, and democracy. He gives the preference to the first, chiefly on the ground that he conceives a king can have no interest apart from his people; whereas in aristocratic and democratic institutions, each individual may have some private advantage in view. The same disadvantages which are commonly alleged as resulting from the rapacity of monarchical rulers in

favour of their courtiers and flatterers, are equally conspicuous under every form of popular government.

Hobbes displayed less consistency in his reasonings on political topics, than on any other subject he attempted to discuss. One contradictory statement and opinion follows another, in rapid succession. Sometimes we find him on the democratic, and sometimes on the despotic side of civil right and authority. It is on this account, that none of his numerous enemies, and commentators, have been able, up to the present time, to give a concise and general summary of what his real opinions on general polity were.

"The political system of Hobbes," says an able writer*, like his moral system, of which, in fact, it is only a portion, sears up the heart. It takes away the sense of wrong, that has consoled the wise and good in their dangers, the proud appeal of innocence under oppression, like that of Prometheus to the elements, uttered to the witnessing world, to coming ages, to the just ear of heaven. It confounds the principles of moral approbation, the notions of good and ill desert, in a servile idolatry of the monstrous leviathan it creates, and often sacrificing all right at the altar of power, denies to the omnipotent, the prerogative of dictating the laws of his own worship."

George Bate was an English physician, and a political writer of note and reputation. His chief work on politics is "Elenchus Motuum nuperorum in Anglia, simul ac juris Regii a Parliamentarii brevis Enarratio," 1660. This account of the late commotion in England, and the brief relation of royal and parliamentary prerogatives, is deemed one of the most able and

* Hallam.

impartial, that has come down to our time. He has been accused of a decided leaning towards the political tenets of the puritans, but this is an unfair and groundless charge.

ZOUCH.—"Quæstiones Juris Civilis," Oxon, 1660. The grand distinction made by the writer of the nature of law is, that what is called the *natural law*, is that which is common to all natural agents; and the *law of reason*, is that which is peculiar to rational beings. The questions discussed in this treatise are divided into ten classes; each of which gives rise to a great variety of subdivisions. The constitutional arguments and statements will be found in the first class.

The "Edinburgh Review" observes, in reference to Zouch, that "He was distinguished by talents as well as learning; and to him we owe the introduction of the term "Law between Nations," or as it has been called by Helvetius, and Mr. Bentham, "Internal Law;" which steadily distinguishes the modern sense of "Law of Nations," from the acceptation of that phrase among the Roman lawyers, in whose language it denoted a system of those rules, by which all men, except, perhaps, brutish savages, regulated, or, professed to regulate, their actions*."

DR. JEREMY TAYLOR'S Works, 1660, are valuable testimonies in favour of the liberty of thought. His "Liberty of Prophesying," 1657, is a valuable treatise, and has kept possession of the public mind of England ever since its appearance. In this work he shows the unreasonableness and impolicy of prescribing other men's faith, and of persecuting for a difference of opinion†.

* Vol. 27, p. 232. † See in particular, the 10th sec. of this treatise.

EDWARD WOLLEY, D.D.—"Loyalty among the Rebels," 1662. The author describes a true king, as one who, "By the right of an unlimited, just, prerogative, has power to regulate and moderate the vicissitudes of peace and war; and, by grant and commission from heaven, to superintend and to exercise an imperial and sovereign power over all concernments, whether ecclesiastical, civil or military." Again he says, "Kings, as mortal gods, create and destroy, make or unmake at pleasure, give life or send death to their subjects, are judges over all, and account to none."

SIR ROGER L'ESTRANGE was one of the active spirits of these revolutionary times. He attached himself to the cause of Charles I. In 1663 he established the "Public Intelligencer," which was, shortly after its appearance, discontinued, or merged into the "London Gazette." In 1679 he set up a paper called the "Observator," in defence of the measures of the court. This was, likewise, discontinued about seven years after, in consequence of the author's differing with James on the question of toleration. Besides these periodical works, he published a great number of detached political pamphlets, which contain much useful matter, but are stained by coarse and vulgar abuse. Granger says his style was so rude and low, that he was the great corruptor of the English language. L'Estrange has but an indifferent character for patriotism; for he is charged, and upon good authority, with being one of the most unscrupulous and venal political scribes of the day.

L'Estrange was the author of that beautiful ballad, called "Loyalty Confined." It is too long for entire insertion, but we shall give four of the stanzas.

"That which the world miscals a jail,
A private closet is to me;
Whilst a good conscience is my bail,
And innocence my liberty;
Locks, bars, and solitude, together met,
Make me no prisoner, but an anchoret.

"I, whilst I wisht to be retir'd,
Into this private room was turn'd;
As if their wisdoms had conspir'd,
The Salamander should be burn'd;
Or like those sophists, that would drown a fish,
I am constrain'd to suffer what I wish.

* * * * * * * *

"I am a bird, whom they combine
Thus to deprive of liberty;
But though they do my corps confine
Yet meagre hate, my soul is free;
And though immur'd, yet can I chirp and sing,
Disgrace to rebels, glory to my king.

"My soul is free as ambient air,
Although my baser part's immew'd,
Whilst loyal thoughts do still repair
T' accompany my solitude:
Although rebellion do my body binde,
My king alone can captivate my mind."

The first part of BUTLER's "Hudibras" was published in 1663, and was made popular at court by the Earl of Dorset. The church-and-state politicians were in extacies with it, and quoted it on all occasions. As a piece of political ridicule and sarcasm, it is unrivalled even at this hour; and the reason is, that though many of its allusions and points are scarcely recognisable, from a change of manners, yet the great leading outline of the poem is based upon principles of human nature, that are always manifesting themselves in the

public movements of mankind. Wit and humour, founded on such principles, are as racy at one time as another.

In Butler's posthumous works, in three volumes, there are several satirical effusions, both in prose and verse; but they are very much below the standard, in point of literary excellence, of his "Hudibras." The authenticity of many of the political papers ascribed to Butler has been recently called in question; and there certainly seems some good ground for the scepticism on their genuineness, from the low and rabid vulgarity which pervades the most of them.

SAMUEL JOHNSON was an active and redoubtable champion for popular rights at this time. He was a clergyman of the Church of England, and had been chaplain to Lord Russel. During the reign of Charles II. he published a political work, called "Julian the Apostate," which was chiefly levelled at the character of the Duke of York, afterwards James II. The author attempted to show, and with great learning, that the christians of the fourth century did not maintain the doctrine of non-resistance. He quoted several of the fathers to support his position; and even went so far as to say, that the dart which was thrown at Julian, came, undoubtedly, from some patriotic and zealous christian in the Roman army. These statements and opinions excited a lively controversy. But Johnson was not a man to be set aside by a trifle. He reiterated his arguments, and drew a parallel between Julian and James, then Duke of York, much after this fashion:—Julian pretended a deep-seated abhorrence of idolatry, while in heart he was an idolator; that the Roman emperor, to serve a present

purpose, often affected a degree of liberality of sentiment, which he inwardly despised; that Julian had punished various cities, by depriving them of their civil liberties, for adhering to the true religion; that Julian had been, by his courtly sycophants, called the Just; and that in all these particulars, and in many others, there was, undoubtedly, a public character in the British nation who bore a striking resemblance to this hated and hateful Roman emperor.

This work brought upon Johnson an immediate prosecution; and he was sentenced to imprisonment and fine. He lived within the rules of the King's Bench, not being able to pay his fine. But fresh troubles awaited him. When James II., who had always kept a steady eye on him, assembled his troops on Hounslow-heath, Johnson wrote another paper and distributed it widely among the soldiers, entitled, "An Humble and Hearty Address to all the English Protestants in the present Army." For this the author was committed to close confinement, condemned to stand in the pillory in three different localities, to pay a fine of five hundred marks, and to be publicly whipped from Newgate to Tyburn. When this sentence was pronounced, the judge congratulated the prisoner on the great lenity shown him by the attorney-general, who might have tried him for high treason. "I owe him no thanks," said Johnson. "Am I, whose only crime is that I have defended the church and the laws, to be grateful for being scourged like a dog, while popish scribblers are suffered daily to insult the church, and to violate the laws with impunity?"

Before the punishment of flogging was inflicted,

Johnson was deprived by the ecclesiastical commission of his gown. A whip of nine lashes was made, and three hundred and seventeen stripes inflicted; but he was never seen to wince under them when dragged at the tail of the cart. He tells us, himself, that in the midst of his suffering and degradation, he often remembered the cross which had been carried by the Saviour himself to Mount Calvary; and that this idea supported him so powerfully, that had it not been that he might have given an occasion to his enemies to charge him with vain glory, he would have sung a psalm to the Almighty with cheerfulness of heart, under the infliction of his unjust punishment.

When the Restoration came, Mr. Johnson wrote several tracts in favour of this great change, and the proceedings that had previously been taken against him, were reversed. He received as a compensation one thousand pounds, and three hundred per annum. His work, with his life, are published in a folio volume, 1713.

As a political writer, he was courageous, able, and sincere. He had an enlightened view of the nature of civil rights and privileges; and, above all things, seemed to have a deep-rooted jealousy against standing armies in times of peace. His several writings, even at the present date, will amply repay a perusal.

Andrew Marvel. — This distinguished political writer and satirist, has been called the "British Aristides." His personal character is so exalted and pure, that he has long been considered as one of the noblest specimens of incorruptible patriotism that England has ever produced.

His works are numerous both in prose and verse*. They all breathe the spirit of freedom, and likewise show that he was well versed in the general knowledge of governments; but they have not been so frequently read and appealed to by subsequent writers, as might have been expected, considering the singular piquancy of their style and matter, so well fitted for the every day skirmishing of political parties. But so it is; Marvel has been thrown comparatively into the background, notwithstanding the distinguished position he held as a political writer during one of the most eventful epochs of our history.

Marvel's principal poems on political subjects, are the following:—"Britannia and Raleigh;" "Advice to a Painter;" "Nostradamus's Prophecy;" "An Historical Poem;" "Hodge's Vision from the Monument;" "A Dialogue between two Horses;" "On the Lord Mayor and Court of Aldermen;" "On Blood's Stealing the Crown;" "Farther Instructions to a Painter;" "Oceana and Britannia;" "Royal Resolutions." Marvel published, a little before his death, "An Account of the Growth of Popery and Arbitrary Government in England," 1678. In this he lays down what are the principles of the British constitution, and shows that the glory of the monarch, and the happiness of the people, depend upon a strict observance of their respective duties and obligations. This work galled the court severely; and a proclamation appeared in the "Gazette," offering a reward of £50 for the discovery of the printer of it, and for the publisher, a reward of £100.

* Works by Capt. Thompson, 3 vols. 4to, 1786.

One of the best known *jeu d'esprit* of Marvel's, is his lines on "The Parliament House to Let."

"Here's a house to be let,
For Charles B——d swore
On Portsmouth's ———,
He would shut up the door.

"Inquire at the lodgings
Next door to the Pope,
At Duke Lauderdale's head,
With a cravat of rope.

"And there you will hear
How next he will let it;
If you pay the old price,
You will certainly get it.

"He holds it in tail
From his father, who fast
Did keep it long shut,
But paid for't at last."

It is stated by Mr. Dove, one of Marvel's biographers, that he had rendered himself so obnoxious to the court, that he was beset on all sides by his enemies, who even went the length of menacing his life. He was obliged to refrain from appearing much in public, and was often compelled to conceal the place of his abode. He died in 1678, in the fifty-eighth year of his age, not without strong suspicions of having fallen a victim to poison.

MASON, in his "Ode to Independence," says of Marvel,

"In awful poverty his honest muse,
Walks forth vindictive through a venal land;
In vain *corruption* sheds her golden dews,
In vain *oppression* lifts her iron hand;
He scorns them both, and arm'd with *truth* alone,
Bids Lust and Folly tremble on the throne."

WILLIAM DENTON, a physician, took an active part in the revolutionary contest, as a political writer. He wrote a great number of works; among the chief of these are, "The Burnt Child dreads the Fire; or, an Examination of the Merits of the Papist relating to England," 1765. "Horæ Subsecivæ; or, a Treatise Showing the Original Grounds, Reasons, and Provocations, necessitating our Sanguinary Laws against Papists, made in the Days of Queen Elizabeth," 1666. "Jus Cæsaris et Ecclesiæ vere Dictæ," 1681. On the accession of William and Mary, Denton dedicated to the crown his "Jus Regiminis," which contained a justification of the necessity there was to make an appeal to arms for the maintenance of the people's rights.

"An Essay upon the Origin and Nature of Government," written in 1672, by SIR WILLIAM TEMPLE, is a small dissertation on the subject mentioned in the above title; and is worthy of notice for the clearness and simplicity of his views. All political authority among men, arises, in the author's opinion, from the wisdom, goodness, and valour among certain portions of a community. Sir William enters briefly into the examination of several of the popular theories of the origin of government known in his day; but after subjecting them to an individual analysis, he is inclined to give the preference to the family or patriarchal scheme.

DR. SAMUEL PARKER, wrote his "Ecclesiastical Polity," 1670, in which he declares "It is better to submit to the unreasonable impositions of *Nero*, and *Caligula*, than to hazard the dissolution of the state." He likewise lays down the principle, "that it is ab-

solutely necessary to the peace and government of the world, that the supreme magistrate of every commonwealth should be vested with a power to govern, and conduct the *consciences* of subjects in affairs of religion, * * * Princes may, with less hazard, give liberty to men's *vices*, than to their *consciences*. * * * That to show tenderness and indulgence to sectarians, were to nourish vipers in our bowels, and the most sottish neglect of our own quiet and security."

This work called forth a spirit of retaliation. Dr. OWEN wrote his work in opposition to these illiberal and violent sentiments, called "Truth and Innocence Vindicated." Parker published a rejoinder, "A Defence and Continuation of the Ecclesiastical Polity;" in which he calls Owen the "Great Bell-weather of Disturbance and Sedition. * * * * The *viper* is so swelled with venom, that it must either burst or split." Andrew Marvel entered into the controversy, and lashed Parker severely in his "Rehearsal Transposed;" in which the sturdy republican layman says, that "If he (Parker), chance but to sneeze, he prays that the *foundations of the earth* be not shaken. Ever since he crept up to be but the *weather-cock of a steple*, he trembles and creaks at every puff of wind that blows about him, as if the *Church of England* were falling."

DR. ROBERT SOUTH.—"The Peculiar Care and Concern of Providence for the Protection and Defence of Kings," 1675. This is the title of a sermon preached in Westminster Abbey, and afterwards published by its author. The leading object of it is to show "That God, in the government of the world, exercises a peculiar and extraordinary providence over the persons and lives of princes," and for this, among many other

reasons, "That kings are the greatest instruments in the hand of providence to support government, and civil society in the world."

JOHN NALSON, L.L.D., was the author of a work "On Monarchy," 1678. The main gist of this treatise, composed of ten chapters, is to show that monarchy is the only real and solid form of government, and the only one which can really promote the people's permanent happiness and prosperity.

HENRY NEVILLE was another republican writer, and in 1681, published his "Plato Redivivus; or, a Dialogue concerning Government." The work is amusing and readable. It contains a dissertation, in the form of dialogue, on the science of government generally; maintaining that the kingly power, ought to be in due subjection to the legislative power, or the will of the nation.

SIR ROBERT FILMER'S "Patriarcha," 1680. This book made no small noise at the time of its appearance when notions of kingly prerogative ran high in England. The whole argument, on which the theory of Filmer is founded, is, that the early kings were fathers of families; and, therefore, became invested with political power, by virtue of this social connection. The author illustrates his doctrine, chiefly by quotations from the Old Testament. He maintains that not only till the flood, but after it, this patriarchal power continued. The three sons of Noah had the whole world divided among them by their parent, with this benediction, "Be fruitful and multiply, and replenish the earth." Most all the nations of the earth have aimed to refer their origin from some one of these sons or nephews of Noah, who were scattered abroad after the

destruction of the Tower of Babel. In this dispersion, we may find the germ of every kind of regal power which has prevailed throughout the world.

Few political treatises of this date, have undergone such a rigid examination, and have borne such grievous loads of ridicule and banter, as the "Patriarcha." It has been handled by all classes of critics—the grave and gay—the loyalist and republican—the philosophical legislator, and the party pamphleteer. It has been suggestive of some of the best works on government, not only in this country, but likewise on the continent; and it has not altogether lost its influence and interest, even in modern times. The real secret of Filmer's influence arises simply from the fact, that the general argument he undertook to defend was done in a very first rate style. No writer could have managed such materials better.

JOHN DRYDEN, the poet, employed his pen in political satire and party contests. In 1681, Charles II. induced him, by express request, to compose his famous political poem, "Absalom and Ahithophel," in which the principal incidents attendant on Absalom's rebellion against his father, are applied to Charles, the Duke of Monmouth, and the intrigues of the Earl of Shaftesbury. This production created Dryden many enemies, who were still further irritated by his "Medal, a Satire on Sedition." This was founded on the circumstance, that when the bill for high treason was ignored by the grand jury against Shaftesbury, the whigs caused a medal to be struck, to commemorate the event. The poem is full of bitterness.

DR. RICHARD CUMBERLAND'S "De Legibus Naturæ," 1682, is an answer, or a pretended answer, to the

leading, moral, and political principles promulgated by Hobbes, in his several philosophical publications. The chief aim of the learned bishop is, to show that the notions of *right*, *justice*, and *law*, arise from the natural or intuitive suggestions of the human mind, and are not mere arbitrary or conventional terms. All mankind have the rudiments of justice and right imprinted, or stamped on their nature; and no framework of civilisation or legislative philosophy can be produced, that does not, in some modified, yet distinct and palpable manner, rest upon these rudimental axioms of human obligation and duty. This work of Bishop Cumberland's has long been, and is still, one enjoying a considerable share of reputation.

We have two works, about this time, which attempt to trace the origin of the representative system in England. The one is from the pen of Mr. Petyt, who published his "Rights of the Commons Asserted," 1680; and that of Dr. Brady's treatise "On Boroughs," 1683. The latter work is an answer to some of the chief statements of the former. To those who aspire to an accurate historical acquaintance with the rise of the House of Commons, and of minute matters of antiquarian learning connected with it, will find both these works of advantage.

Bishop Sanderson.—"Episcopacy, not prejudicial to Regal Power," 1683. This small work is written to the roman catholics, presbyterians, and independents, on the question as to the necessary connection between episcopacy as a system, and the rights of the sovereign. The author maintains that the *jus divinum* of episcopacy, as it is maintained by those called the prelatical party, is not an opinion so dangerous to

kings and states, as the opposite; but rather, of all forms of church government, it is the most simple and salutary for the happiness, and welfare of nations*.

Sir George Mackenzie.—"Jus Regium; or, the Right of Monarchy," 1684. This author was a distinguished lawyer and advocate to Charles II. The above work was an official answer to the doctrines of Buchanan, Milton, and others, as to the rights and privileges of the royal power. Mackenzie endeavours to prove that a monarch has an absolute right in his kingdom:—1st, from the law of God, as mentioned and laid down in the scriptures; 2nd, from the law of nature, "which every man finds planted in his own heart," and which is obeyed without any other law, and for which men neither seek nor can give another distinct reason; and 3rd, from the law of nations. Sir George argues the question throughout his short essay, as a lawyer, rather than a statesman and philosopher†.

John Tutchin was a political writer of the revolutionary era. He attacked church and state in no measured terms; but he did this at his cost, for the notorious Judge Jeffreys sentenced him to be whipped through all the principal market-towns in the West of England. He petitioned the king to have this sentence commuted to hanging! He fortunately took ill in prison, and this led to his pardon. He commenced and carried on, for some time, "The Observer" paper, 1702, in which he wrote many able and spirited articles in favour of general freedom.

Sir John Harrington.—The "Oceana" created a considerable sensation among politicians on its first

* P. 44. † Works, vol. ii. p. 474.

appearance. Several answers appeared; among the number was Baxter's "Holy Commonwealth," which laboured hard to prove the fallacy of the general principles of the "Oceana," but without much success. Irrespective of the arguments on both sides, Harrington had the satisfaction of seeing the "Holy Commonwealth" burned, by a decree of the University of Oxford, along with some works of Hobbes and Milton. An abridgment of the "Oceana" was published by the author under the title of the "Art of Lawgiving." He every way enlarges on the benefits of a republican form of government, and of the advantages of the ballot.

The treatise opens with a well-written and profound exposition of the grounds and arguments for a republic; and these grounds and arguments are, throughout the progress of the work, more minutely developed in detail. His leading maxim is this: dominion follows the balance of property; that is, that the form of every government must be moulded in conformity with the mode in which property is distributed amongst all the members of the community. In pursuance of this idea, a sound and just agrarian law must be established before the republican form of government can be instituted. Without this preliminary measure is adopted, the political renovation of society cannot be secured; and for this reason, says the author, "Because, as to property producing empire, it is required that it should have some certain root or foot-hold, which, except in land it cannot have; being otherwise, as it were, upon the wing. Nevertheless, in such cities as subsist mostly by trade, and have little or no land, as Holland and Genoa, the balance of treasure may be equal to

that of land." This land must, however, be divided according to a given scale; and this the author calls the *agrarian* scale. Unless landed property be divided in some such way as the author points out, he maintains it is impossible that any government can exist for any length of time, whether its principles be monarchical, aristocratical, or democratical. He thinks the highest amount of property should be *two thousand pounds* per annum. His definition of a good government is, "One established upon an equal agrarian scale arising into the superstructure, or three orders—the senate debating and proposing; the people resolving; and the magistracy executing, by an equal rotation, through the suffrages of the people, *given by ballot.*

In the original folio edition of the "Oceana," there is a plate, representing the mode of taking the ballot practised in the government of Venice; a country, the legislation of which Harrington greatly admired. He says, "If I be worthy to give advice to a man that would study politics, let him understand Venice; he that understandeth Venice aright, shall go nearest to judge, notwithstanding the difference that there is in every policy, right of any government of the world*."

The "Oceana" had a somewhat ominous struggle for existence. Mr. Toland tells us the following story: After the death of Charles I., who had a high opinion of Harrington, the author was observed to keep his library more closely than usual. He was then engaged with the "Oceana." When he had made some considerable progress with the work, he made its nature known among some of his particular friends. This

* P. 292.

came to Cromwell's ears and he ordered the manuscript to be seized. Harrington endeavoured to recover it, but without success. In his despair he applied to Lady Claypole, Cromwell's favourite daughter, to whom he was personally unknown, but of whose affability and benevolence of disposition, he had heard much. Being ushered into her ladyship's room, he only found a child three years' of age. He entertained the child so divertingly, that she suffered him to take her up in his arms, till her mother came; whereupon he, stepping towards her and setting the child down at her feet, said, "Madam, 'tis well you are come at this nick of time, or I had certainly stolen this pretty little lady." "Stolen her," replied the mother, "pray what to do with her? for she is too young to become your mistress." "Madam," said he, "though her charms assure of a more considerable conquest, yet I must confess it is not love, but revenge, that prompted me to commit this theft." "Lord," answered the lady, "what injury have I done you, that you should steal my child?" "None at all," replied Harrington, "but that you might be induced to prevail with your father to do me justice, by restoring my child that he has stolen." But the lady urged that it was impossible, because her father had children enough of his own. He then revealed to her, at last, that the child he had lost, was the fruit of his brain, which had been grossly misrepresented to the protector, and taken out of the press by his order. Harrington's wit prevailed, and the lady got the work restored to him. It is said that Cromwell afterwards read the treatise, which was dedicated to him, and he greatly admired it.

Harrington wrote several political tracts, but they

are not of any great importance. He was the founder of the "Rota Club," and frequently addressed its members on the advantages of a commonwealth, and of a system of voting by ballot. He was seized, and committed to the Tower in 1661, and, after a great deal of hardship, obtained his release through the interference of Lord Bath; but not till his health had suffered severely from his confinement. He died in 1677.

Richard Baxter's "Holy Commonwealth," was written against Harrington's book; but the high church party did not relish it, and it was committed to the flames, at Oxford, in 1683, along with the works of Milton and Hobbes.

Harrington's work, "The Art of Law-making," 1659, is divided into three books. 1st,—Showing the foundations of all kinds of government. 2nd,—Pointing out the forms and maxims of the Hebrew Commonwealth; and 3rd,—Furnishing a model for popular government. Harrington was the author of several other political works, besides these now mentioned.

Hume says, "Harrington's 'Oceana' was well adapted to that age, when the plans of imaginary republics were the daily subjects of debate and conversation; and, even in our own time, it is justly admired as a work of genius and invention. The style of the author wants ease and fluency; but the good matter which his work contains makes compensation."

Algernon Sidney.—"Discourses on Governments." This work has, ever since its first appearance, maintained a firm hold of the political feelings of the people of England. It was written as a formal answer to the "Patriarcha" of Sir Robert Filmer; and it enters very minutely, and what many readers of the

present day will think laboriously, into an examination of the principles of paternal authority, from which Sir Robert attempts to derive all kingly power and authority; but, independently of the object for which the book is written, the "Discourses" have great merit in themselves, as they abound with ingenious illustrations of political truths, and numerous and singularly apt quotations from ancient authorities. The personal opinions of the author are republican; but are greatly modified from the general current of republican ideas of the present day, by the aristocratic influence which Sidney mixes up with his theoretical system.

The author was beheaded on Tower Hill, on the 7th December, 1683. His "Discourses" were first published by Mr. Foland, in 1698.

We must not forget here, that passage in Bunyan's "Pilgrim's Progress," which describes the proceedings against *Faithful.* The manner in which the witnesses give their evidence against him; the tyranny and insolence of the judge; the hatred and rancorous partiality of the jury; are all true representations of the sufferings of political writers under Charles II., who were inimical to the court and its measures. Bunyan makes Lord Hategood act as counsel for the prisoners.

Judge.—"Thou runagate, heretic, and traitor, hast thou heard what these honest gentlemen have witnessed against thee?"

Faithful.—"May I speak a few words in my defence?"

Judge.—"Sirrah, sirrah! thou deservest to live no longer, but to be slain immediately upon the place,

yet, that all men may see our gentleness to thee, let us hear what thou, vile runagate, hast to say."

Edmund Bohun, wrote "A Defence of Charles' Second Declaration." The same author published likewise a defence of the doctrine of Sir Robert Filmer, against the observations of Algernon Sidney; and a work upon passive obedience.

There are few political controversialists in England, but have often heard of the severe and summary methods that were, in former days, adopted to bring writers on public matters before the criminal tribunals of the country. The famous Judge Jeffreys was a notable instrument in his day for these crusades against political writers. We shall here give the form of one of his *general warrants*, which were so long held in public execration.

Copy of one of Judge Jeffreys' general warrants, 1684.

"Whereas I am informed that there are divers ill-disposed persons who write, print, and publish, treasonable, popish, seditious, and scandalous books, pamphlets, and pictures, endeavouring thereby to disturb the minds of his majesty's subjects, and the peace of the kingdom.

"These are therefore in his majesty's name, to charge and command you, and every of you, upon sight hereof, to be aiding and assisting to Robert Stephens, his majesty's messenger for the press, in making diligent search in all suspected places, and to seize all such books, pamphlets, and pictures, as he shall be informed of, in any bookseller's, printer's, binder's shops or warehouses, or in any vessel or other place whatsoever, to the end they may be disposed of according to law.

Likewise, if you should be informed of the authors, printers, publishers, or any other persons, in whose custody you shall find such books, pamphlets or pictures, you are to apprehend, and bring them before me, or any of his majesty's justices of the court of King's Bench, or some other of his majesty's justices of the peace, to be proceeded against, according to law. Hereof fail not at your perils.

"GEORGE JEFFREYS.

"Anno Dom. September 1st, 1684."

It is necessary to remark here that the great change effected at this date, 1688, in the constitution of England, or rather the formal recognition of all its old fundamental laws and principles of government, under somewhat novel circumstances, greatly influenced the current of subsequent political sentiment and speculation. One of the most prominent events of the time, was the public compact or declaration of rights. We find constant appeals to this agreement between the nation and its rulers, by succeeding political writers and theorists of all grades of opinion.

The "Declaration of Rights," commenced with a recapitulation of the errors and short-comings, which had rendered a revolution necessary. The late king had made a direct attack upon the legislature; had treated the right of petition as a misdemeanour; had oppressed the church, by subjecting it to an illegal tribunal; had levied taxes and maintained a standing army without the sanction of parliament; had violated the freedom of election, and perverted the course of justice. Matters of which the Commons alone had the power to take cognizance of, were made subjects of

prosecution in the King's Bench. Corrupt and partial juries had been returned. Excessive bail had been demanded from prisoners; excessive fines were levied; the estates of persons had even been granted away before the owners of them had been convicted. The Prince of Orange, whom providence had raised up as an instrument for the delivery of the nation from tyranny and superstition, had invited the Estates of the realm to meet and to take counsel together for the effective security of religion, law, and public right. The Lords and Commons having deliberated, had resolved that they would first, after the example of their ancestors, assert the ancient rights, privileges, and liberties of England. Therefore it was declared, that the dispensing power, lately assumed and exercised, had no real or legal existence; that, without a specific grant from parliament, no money could be legally demanded of the subject; that, without consent of parliament, a standing army could not be kept up in time of peace. The right of subjects to send petitions to parliament; the right of electors to choose representatives without let or hindrance; the right of the parliament to perfect freedom of debate; the right of the nation to a pure and merciful administration of justice, according to the spirit of its own mild and ancient laws, were severally solemnly affirmed. All these various matters the convention claimed in the name, and in behalf of the whole nation, as the undoubted inheritance of Englishmen.

The political writings of ANDREW FLETCHER, of Saltoun, are not of any great value and importance. He entertained a great hatred and jealousy of England, and to this feeling we owe many of his written

papers on political topics, what betray, as a whole, an almost total absence of any high or elevated view of civil liberty. He was a bold and resolute, but, on the abstract principles of national polity, an ill-informed man. He died in 1716.

JOHN LOCKE.—"Treatise on Government." The publication of Mr. Locke's work on government, 1689, forms an important era in the history of political science; not only in England, but in every civilised and christian state. The celebrity of his name, as a metaphysician, doubtless reflected additional value upon his speculations on the nature of government; but, independent of this circumstance, his method of reasoning is so conclusive, and his judgment so profound and correct, that his lucubrations still keep a firm hold of the public mind, and promise to do so, as long as any sound notions on the abstract principles of the social contract, shall be retained among men.

The "Treatise on Government" is divided into two leading parts; the first contains the author's refutation of the principles of Sir Robert Filmer's "Patriarcha;" and the second, those principles of civil polity, which the author considered as the only sound and true ones, and which are necessary to all countries which can lay claim to any degree of legislative intelligence and liberty.

In answer to Filmer, Mr. Locke denies there is any natural right derived from paternal authority to exercise civil authority over mankind. The assumption, he says, is altogether gratuitous and, at bottom, absurd.

On the nature of the social compact, the author maintains, that a state of nature is a state of perfect freedom and equality; but this state does not confer

an unlimited license to do whatever you please. This law has its bounds clearly defined, by the exercise of the same liberty you enjoy. The execution of the law of nature is placed into every man's hand; so that he may punish whoever violates it, either against himself or others. "Every offence that can be committed in the state of nature, may, in the state of nature, be punished equally, and as far forth, as it may in a commonwealth." All men, the author affirms, must be considered in a state of nature till they voluntarily enter into some society.

If a man, by word or deed, threatens to take the life of another fellow-creature, then war ensues; and the aggressor exposes his own life, which the other party, or any of his friends, may take away. And the same thing may be affirmed of those who attempt to obtain absolute power over another; because, when this is attained, the life or property of the subjected party must rest in the hands of the conqueror, who can give no security, but his own will, for their safety.

Natural liberty is defined by Locke to be, a freedom from any superior or higher authority than the law of nature. Civil liberty consists in a freedom from any power but that which a legislature, established by consent, shall maintain. No individual can, by his own consent, enslave himself, or confer a power on another to take away his life. Slavery, in any sense, is a state of war between the conqueror and his captive.

The chapter, on the nature of property, is well entitled to the especial regard of the politician. "It would," as Mr. Hallam justly remarks, "be sufficient, if all Locke's other writings had perished, to leave him

a high name in philosophy*." Locke's opinion is, that *labour* constitutes property; or, confers a right to inheritances. This labour may not be of that kind which comes under the category of any of the arts of civilised life; but the mere acts of gathering the fruits of the earth, or catching wild animals, are sufficient to constitute legal and legitimate occupancy. The cultivation of the soil sustains a divided right to property in it. "As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He, by his labour, does, as it were, inclose it from the common."

Labour must always be the basis of property; and this is perfectly consonant to the nature of things, for every thing valuable must spring from labour. "Whatever bread is more worth than acorns, wine than water, cloth or silk than leaves, skins, or moss, that is wholly owing to labour and industry."

But the rights of property are not of an absolute or unconditional nature. A man cannot do with his own what he pleases. No proprietors of land can use their possessions, so as to cause the nation or individuals to perish of cold or hunger.

The legislative power, is the supreme power of the state; but Locke maintains that if the people see proper to alter it, they have a full right to do so. If they had not this right, there could not be the semblance of civil liberty. But as long as the legislative power exists, it is supreme, whether it is placed in one person's hand, or in many.

Mr. Locke ridicules the idea of a representative power being conferred upon places which have almost no

* Lit. Middle Ages.

inhabitants, and which possess no particular influence in the social scale; such, for example, as many of the old boroughs, which were annihilated in England, by the late Reform Bill.

Locke defines prerogative to be "A power of acting according to discretion for the public good, without the prescription of the law, and sometimes even against it." The reader will find the author's observations on this subject in his eleventh chapter; but the reasonings here are not the most happy of Locke's efforts.

"Conquest is an unholy and unjust war, and never can acquire legitimate authority. If we have not such force as to successfully combat the usurper, we must patiently wait, till a favourable opportunity occurs to throw off the yoke. Usurpation stands in precisely the same situation as conquest; it can confer no just title to obedience or authority. The consent of the subject is indispensable to every act of power*."

With respect to the kingly office, Mr. Locke thinks, that when a prince has usurped the sovereign power, and brought misery upon his people, he should be held personally responsible for his deeds. Without a power of retribution be held in the hands of the people, there can be no motive for kings and governors to do their duty justly, and conscientiously. The mass of the citizens are always inclined to bear long with the waywardness of their kings; but it is a wholesome political safeguard, they should remember, that there are limits to forbearance, and that the liberties of the state shall not be trampled under-foot with impunity†.

* Chap. 17. † Chaps. 18, 19, which are, on the whole, sound and judicious.

The influence of Mr. Locke's work on civilised states has been immense; no treatise, either ancient or modern, can be compared to it in this respect.

The "Political Tracts" of Lord Halifax, are exceedingly interesting, both from their style and matter. He is likewise supposed to be the author of the "Character of a Political Trimmer," commonly ascribed to Sir William Coventry. This tract describes the general character of a *political trimmer*, who is a man that avoids all extremes and winds his way among clashing interests with ease. "The art of trimming, philosophically considered, is the height of wisdom and political acumen. The temperate trims between the burning deserts and the frozen seas; the episcopalian church trims between anabaptist wildness and popish apathy; the British constitution trims between Turkish despotism and Polish anarchy; and even the wisdom of the supreme being is displayed by the strict equilibrium of all his attributes."

Dawson's "Origo Legum," is a treatise in seven books, published in 1693, folio, containing a philosophical dissertation, in some of the preliminary chapters, on the origin of law; showing that all judicial rules and principles arise from certain elementary notions, imprinted on the minds of mankind. All law depends, according to the author, upon the *eternal law* of nature, established by God, by which all things are regulated and governed. The law of reason is a great branch of this eternal law, and is the foundation of human law, as illustrated in the government of men in a state of social communion. The author discusses the questions, what reason is; that there is such a law as the law of reason; what the law of rea-

son is; what the subject matter of the law of reason is; that man by reason can give laws to his own will, senses, appetite, that is, to himself; and that by reason he can give laws to all inferior beings*.

To form a correct idea of the nature of all political relationships, three things must be observed; man must be considered as a citizen of the world; as a member of a body politic; and as an immortal creature.

"Bibliotheca Politica; or, an Inquiry into the Ancient Constitution of the English Government." In thirteen Dialogues, London, 1694. The first dialogue relates to the question, whether monarchy be of divine right? The second, whether hereditary succession to crowns, be a divine institution; the third, whether resistance of the supreme power by a whole nation, can be justified by the law of nature, or the gospel; the fourth, whether absolute non-resistance is enjoined by the gospel, or was the doctrine of the primitive church; the fifth, whether the king be the supreme legislative authority, and whether the parliament be a fundamental part of the government; or proceeds from the favour of kings; the sixth, whether the commons of England, was one of the three estates of the kingdom, before the 49th of Henry III.; the seventh, the same question continued; the eighth, continuation of the same subject; the ninth, whether the ancient laws and constitution of this kingdom, as well as by the statutes of the 13th and 14th of Charles II., all resistance of the king, or of those commissioned by him, are expressly forbidden upon any pretence whatsoever; the tenth, whether a king of England can ever fall from, or forfeit his royal dignity, for any breach of

* Chap. 5, p. 17.

an original contract, or wilful violation of the fundamental laws of the kingdom; and whether King William the Conqueror, did not acquire, by virtue of his conquest, an absolute and unconditioned right to the crown of these realms; the eleventh, in what sense civil power is said to be derived from God, &c.; whether the appointment of William Prince of Orange, be in accordance to the constitutional maxims of the English Constitution; the twelfth and thirteenth dialogues are on matters of little public moment.

WALTER MOYLE, who sat in parliament for the borough of Saltash, in 1695, was the author of several works of a political character. He published "An Argument against a Standing Army," which obtained him some notice among the public men of the day. He shows that the very constitution of an armed force is antagonistic to every correct view of civil liberty. It is, he says, a gross mockery for a man to talk of freedom with a musket in his hand. Moyle likewise wrote "An Essay on the Lacedemonian Government;" another "On the Roman Constitution;" as well as other tracts on political economy.

DEVENANT.—"Essays," London, 1700. These Essays contain dissertations on "The Balance of Power; or, the Right of Declaring War or Peace, and entering into Alliances; and, on Universal Monarchy."

DANIEL DE FOE.—"Political Works." Daniel De Foe is a most voluminous political writer, and one of the most distinguished of his age and nation. No man ever battled more manfully and consistently for enlightened and liberal sentiments in politics than he did, and few have suffered more grievous and tantalising prosecutions for their steadfast adherence to

them. Party feelings and views ran at this time, as we have recently remarked, very high; and being a man of ardent and impassioned feelings, he threw himself into the midst of contending factions, with a full determination to take his fair share of the good and the ills, which result from such strifes and contentions. He had been educated in the political sentiments of the English presbyterians, and adopted the general opinions of that body, without, however, any sectarian strictness or bigotry. The great principles of civil and religious freedom were the constant theme of his praise, and the burden of his labours. It appears, from his own account, that even in early life he became a regular and systematic student of politics *as a science*, and had studied, with some care and minuteness, both the theory and practice of the English constitution.

At the age of twenty-one, he formally commenced his career as a political writer, by the production of a pamphlet, entitled "Speculum Crape-Gownorum; or a Looking-glass for the young Academicks, new Foyl'd; with Reflexions on some of the High-flown Sermons of the newest Fashion," by a guide to the Inferior Clergy, 1672. This piece of satirical writing was intended as a reply to a work published by the celebrated Roger L'Estrange, called "A Guide to the Inferior Clergy," in which De Foe considered there were many very illiberal and tyrannical sentiments. The object of De Foe was, chiefly, to ridicule the political and ecclesiastical opinions and pretensions of the high church party, then very powerful and dominant. He reprobates the practice, then almost universal, of the clerical body directly interfering with politics in their pulpits; in order "that they may see how ridicu-

lous they are, when they stand fretting, and fuming, and heating themselves, about state affairs." This lampoon became uncommonly popular in London, and even attracted considerable attention among the higher class of politicians and public characters of the day.

A short time after this, he withdrew from politics, and commenced as a commission agent in London, for the sale of hose. Here he followed his new calling with diligence for the space of ten years; but, at length, his warm and enthusiastic temperament again prevailed, and urged him to make some effort to stem the current of political heresy and arbitrary power. The doctrine of the *Divine Right of Kings*, gave him mortal umbrage. "It was, for many years," he says, "and I am witness to it, that the pulpit sounded nothing but the duty of absolute submission, obedience without reserve, subjection to princes as God's vicegerents, accountable to none, to be withstood in nothing, and by no person. I have heard it publicly preached, that if the king commanded my head, and sent his messengers to fetch it, I was bound to submit, and stand still while it was cut off." These opinions were so repugnant to his judgment, and so contrary to the whole tenor of his mode of thinking, that he was goaded on to join the standard of freedom against the power and authority of James II., and was actually with the Duke of Monmouth when he landed in Dorsetshire. The 4th of November, when the Prince of Orange set his foot on English soil, De Foe commemorated as a high festival day, during his whole life; declaring that "It was a day famous on various accounts, and every one of them dear to Britons who love their country, value the protestant

interest, or who have an aversion to tyranny and oppression."

The next political work of De Foe's, of any note, were his "Essays on Projects," containing his speculations on politics, commerce, and benevolence. Like many other political projectors, both ancient and modern, he conceived that his plans would banish misery and wickedness from the earth. His hints "Might," he says, "be improved into methods that should prevent the general misery and poverty of mankind, and at once secure us against beggars, parish-poor, alms-houses, and other hospitals; by which not a creature so miserable or so poor, but should claim subsistence as their due, and not ask it of charity."

When the new monarch ascended the British throne, we are informed that he was much shocked at the moral dissoluteness of the nation, and that he issued a proclamation in which he says, "I esteem one of the greatest advantages of the peace (just then concluded), that I shall now have leisure to rectify such corruptions and abuses as have crept into any part of the administration during the war, and effectually to discourage profaneness and immorality." The then House of Commons zealously seconded this proposal, and said, "They most humbly desired that his majesty would issue out his royal proclamation, commanding all judges, justices of the peace, and other magistrates, to put in speedy execution, the good laws that were now in force against profaneness and immorality, giving encouragement to all such as did their duty therein." The proclamation issued, and the archbishop of Canterbury drew up some "excellent rules for the government of the clergy." While all this was going on,

De Foe seems not to have entered into the matter with any hearty relish; and the cause of this apathy was, that he thought such a royal proclamation would be a partial and one-sided manifesto, directed more against what he called the "common people," than against the upper and more influential ranks of society. Under this impression, he published "The Poor Man's Plea," in which he expressed his suspicions, in pungent and facetious language, that the work of reformation should commence at the highest grades of society, where he hinted, reform was most needed, and would prove most efficacious on the minds of the mass of the nation. He says, "In searching for the proper cure of an epidemic disease, physicians tell us it is first necessary to know the cause. Immorality is, without doubt, the present reigning distemper of the nation; and the king and parliament who are indeed the proper physicians, seem nobly inclined to undertake the cure. But as a person under the violence of a disease sends in vain for a physician, unless he resolves to make use of his prescription, so in vain does the king attempt to reform a nation, unless they are willing to reform themselves." After noticing, with due commendation, the efforts of the public authorities, he says, "These are great things, and if well improved, would give an undoubted overthrow to the tyranny of vice. But we of the *plebii* find ourselves justly aggrieved in all this work of reformation, and the partiality of the reforming rigour makes the real work impossible. Our laws against all manner of vicious practices are very severe; but these are all cobweb laws, in which the small flies are caught, and the great ones break through. My lord mayor has

whipped about the poor beggars, and a few scandalous females have been sent to the House of Correction; some alehouse keepers and vintners have been fined for drawing drink on the Sabbath-day; but all this falls upon us of the mob, as if all the vice lay among us. We appeal to yourselves, whether laws or proclamations are capable of having any effect while the very benches of our justices are infected? 'Tis hard, gentlemen, to be punished for a crime by a man as guilty as ourselves: this is really punishing men for being poor, which is no crime at all; as a thief may be said to be hanged not for the theft, but for being taken." Again he remarks, "The quality of the person has been a license to the open exercise of the worst crimes; as if there were any baronets, knights, or esquires in the next world, who, because of those little steps custom had raised them on higher than their neighbours, they should be exempted from the divine judicature; or, as Captain Vratz, who was hanged for murdering Esquire Thynne, said, 'God would show them some respect, as they were gentlemen."

The author does not spare that part of the royal proclamation which had a reference to the clergy; who, he affirms, as a body, were very much in need of reform in both their morals and manners. It is evident, however, that De Foe felt that he had here got upon ticklish ground. He allows that he raised up against him a whole host of enemies, who accused him of being an enemy to all religion and good government. This is just what might naturally be expected. Entire bodies of men feel invective keenly; both because it is always partially levelled against them, and likewise that the innocent suffer for the guilty.

De Foe had a warm constitutional feeling towards the House of Orange, and when a certain cry was set up by a small and noisy faction of political writers, that the monarch was a "foreigner," our author took up the question, and wrote, in retaliation, his famous "True-born Englishman," a publication, in verse, that attracted no small share of public attention at the time of its appearance, and can be read even now with pleasure and amusement. The author banters his countrymen for talking so glibly and disloyally of foreigners, seeing that their own parentage, as a nation, is but of a questionable and base origin. He thinks the British nobility have not much to boast of in the way of ancestry:

"These are the heroes who despise the Dutch,
And rail at new-come foreigners so much;
Forgetting that themselves are all derived
From the most scoundrel race that ever lived—
A horrid crowd of rambling thieves and drones,
Who ransacked kingdoms and dispeopled towns.
The Pict and painted Briton, treacherous Scot,
By hunger, theft, and rapine, hither brought;
Norwegian pirates, buccaneering Danes,
Whose red-haired offspring everywhere remains;
Who, joined with Norman-French, compound the breed,
From whence your True-born Englishmen proceed;
And lest by length of time it be pretended
The climate may the modern race have mended,
Wise Providence, to keep us where we are,
Mixes us daily with exceeding care."

He considers that true nobility lies in virtue and honour.

"'Tis well that virtue gives nobility,
Else God knows where we had our gentry;

Since scarce one family is left alive
Which does not from some foreigner derive.
Of sixty thousand English gentlemen
Whose names and arms in registers remain,
We challenge all our heralds to declare
Ten families which English-Saxon are."

On the origin of the English nation, we have the following lines:—

"Fierce as the Briton, as the Roman brave,
And less inclined to conquer than to save;
Eager to fight, and lavish of their blood,
And equally of fear and forecast void.
The Pict has made 'em sour, the Dane morose,
False from the Scot, and from the Norman worse.
What honesty they have the Saxons gave them,
And that, now they grow old, begins to leave them.
The climate makes them terrible and bold;
And English beef their courage does uphold;
No danger can their daring spirit pall,
Always provided with their bellies full."

The author speaks highly of King William in this work, and considers that the nation owes him a great debt of gratitude, for the wisdom and humanity of his government. The poem then concludes with the following lines on the nobility of personal character:

"Could but our ancestors retrieve their fate,
And see their offspring thus degenerate;
How we contend for birth and names unknown,
And build on their past actions, not our own;
They'd cancel records, and their tombs deface,
And then disown the vile degenerate race;
For fame of families is all a cheat,
'Tis PERSONAL VIRTUE ONLY MAKES US GREAT!"

The high church party being now very rampant, and carrying matters with a high hand, De Foe's wrath

was excited to its greatest pitch, and he wrote his work, "The Shortest Way with the Dissenters," 1702, which extended his reputation, as a political satirist, far and wide, but which cost him, nevertheless, much suffering and distress. The most curious and extraordinary circumstance connected with this work was, that the nation took up as a piece of serious argument, what was only meant as irony and ridicule. De Foe conceived that the most effectual mode of bringing the arguments of the intolerant church party into public odium and disrespect, was to use their own arguments, and push them to their ultimate logical conclusions. This he carried out in the language and tone of banter, which might have been easily seen through. He recommends the infliction of the severest pains and penalties on the restless and turbulent spirits of dissent, whose principles, he affirms, are inimical to the peace and well-being of the nation. He says, that "We can never enjoy a settled, uninterrupted union and tranquillity in this nation till the spirit of whiggism, faction, and schism is melted down, like the old money." Dissenters of every grade and cast must be all exterminated. "I do not prescribe fire and fagot," says De Foe, "but as Scipio said of Carthage, *Delanda est Carthago*—they are to be rooted out of this nation, if ever we will live in peace, serve God, or enjoy our own." Again, he continues—"'Tis vain to trifle in this matter. The light, foolish handling of them by fines is their glory and advantage. If the gallows instead of the compter, and the galleys instead of the fines, were the reward of going to a conventicle, there would not be so many sufferers. The spirit of martyrdom is over. They that will go to church to be chosen sheriffs and mayors would go to forty churches rather

than be hanged. If one severe law was made, and punctually executed, that whoever was found at a conventicle should be banished the nation, and the preacher hanged, we should soon see an end of the tale—they would all come to church, and one age would make us all one again. To talk of five shillings a month for not coming to the sacrament, and of one shilling a week for not coming to church, is such a way of converting people as never was known! This is selling them a liberty to transgress for so much money. If it be not a crime, why don't we give them full license? And if it be, no price ought to compound for the committing it, for that is selling a liberty to people to sin against God and the government. We hang men for trifles, and banish them for things not worth naming; but an offence against God and the church—against the welfare of the world and the dignity of religion—shall be bought off for five shillings! This is such a shame to a Christian government, that 'tis with regret I transmit it to posterity."

The high churchman, on the one hand, was quite fascinated with his ready mode of overcoming his opponents; and, on the other, the dissenters of every denomination were in a state of dreadful excitement, at the promulgation of such atrocious opinions and sentiments. When the irony and the joke of the work began to be perceived, the rage of both parties fell with redoubled severity on poor De Foe's head. He was denounced as infamous, and as richly deserving the severest persecution. The authorities began to move in the matter, and he was "charged with writing a scandalous and seditious pamphlet." He withdrew into a place of concealment, but was followed by the

"London Gazette," which offered a reward for his apprehension. It describes his person thus:—"He is a middle-sized, spare man, about forty years' old; of a brown complexion, and dark-brown coloured hair, but wears a wig; a hooked nose, a sharp chin, gray eyes, and a large mole near his mouth; was born in London, and for many years was a hose-factor in Freeman's Yard in Cornhill, and is now owner of the brick and pantile works near Tilbury Fort in Essex. Whoever shall discover the said Daniel De Foe to one of her majesty's justices of the peace, so he may be apprehended, shall have a reward of £50, which her majesty has ordered immediately to be paid upon such discovery." De Foe, seeing his escape impossible, surrendered, stood his trial, and was sentenced to pay a fine of 200 marks to the queen, stand three times in the pillory, find sureties for his good behaviour for seven years, and be imprisoned during the pleasure of her majesty. He suffered the ignominy of the pillory with determined firmness and courage, and was cheered by the multitude assembled around him. De Foe considered this public exhibition as a great triumph. He wrote a "Hymn to the Pillory," in which he speaks of the instrument in the following strain:—

"Hail hieroglyphic state machine,
Contrived to punish fancy in;
Men that are men, in thee can feel no pain,
And all thy insignificants disdain.
Contempt, that false new word for shame,
Is, without crime, an empty name;
A shadow to amuse mankind,
But never frights the wise or well-fixed mind.
Virtue despises human scorn,
And scandals innocence adorn."

And well might he thus hurl his defiance at the parties who had so basely treated him:—

"Tell them the men that placed him here
Are scandals to the times,
Are at a loss to find his guilt,
And can't commit his crimes."

Within the grim walls of Newgate, he wrote his satirical poem, the "Reformation of Manners," in which there are many lofty and noble sentiments; and he seems to have anticipated in this effusion that, at no distant day, the slave would be liberated from his owner. On this system he says,

"The harmless natives basely they trepan,
And barter baubles for the souls of men:
The wretches they to christian climes bring o'er
To serve worse heathens than they served before."

The author wrote several political pamphlets after this severe and unmerited punishment. The reader will find his political opinions very fully stated, on most questions of daily interest, in his periodical work called the "Review," which he carried on for the space of nine years. This was an influential political instrument. It was exclusively devoted to politics and trade. It took up every important topic of the hour; and the writing was vigorous, witty, and level to the understandings of the mass of the community. It brought him many enemies; the high church party often going the length of threatening to murder him. He used to reply to these threats with the most provoking coolness, by telling his enemies that he would stay at home at night, because none of them would dare to attack him in the day-time; and, moreover, that he would wear a piece of armour on

his back, as he was certain they would never venture to meet him face to face.

The author's work, "Vox Populi, Vox Dei," is the most elaborate of his writings on the abstract principles of government. It goes to prove that all kings, governors, and forms of government, proceed from the people, which is the nature of the English constitution; that the resistance of authority, when tyrannically exercised, is conformable to scripture and reason; that divine revelation and the history of the church confirm this right; and that passive obedience is a treasonable doctrine, contradictory to the attributes of God, and encouraging to rebellion, usurpation, and tyranny.

De Foe may be justly considered as a bold, an able, and incorruptible politician. It is true that, in 1705, we find him applying, by letter, to Lord Halifax, to be engaged as a political writer; and that his lordship sent him a handsome acknowledgment for his services*. But we detect nothing crouching, base, or unprincipled in this application. De Foe always stood manfully by the constitution, and the great principles of the Reformation of 1688. The freedom of Englishmen, and the real prosperity and power of England, were the grand objects he ever had in view.

The seeds of political economy were sown in the period of history we are now considering; but they had not, as yet, produced much fruit. We shall barely notice the subject by way of form, leaving its further and fuller consideration to a more appropriate period of time.

Hobbes has been claimed by modern economists as one of the very first English writers who had arrived

* Letters by the Camden Society, 1843.

at correct conclusions as to the real sources of national wealth. In the "Leviathan," 1651, he says, "The *nutrition* of a commonwealth consisteth in the *plenty* and *distribution* of *materials* conducing to life. As to the plenty of matter, it is a thing limited by nature to those commodities, which, from two breasts of our common mother the *land* and *sea*, God usually either freely giveth, or for labour selleth to mankind. For the matter of this nutriment consisteth in animals, vegetables, minerals; God hath freely laid them before us, in or near to the face of the earth, so as there needeth no more but the labour and industry of receiving them, inasmuch that *plenty dependeth* (next to God's favour) *on the labour and industry of man.*"

In addition to these remarks by Hobbes, we have several pages of Locke's "Essay on Government," devoted to what, in his opinion, constituted the real wealth of a country. He maintains that "It is labour which puts the greatest part of the value upon land, *without which it would scarcely be worth anything.*

The other publications which appeared in England, previous to the year 1700, on Economical Science, are chiefly of that class which relate to trade and commerce. The names of these are the following:—"The Merchants' Mappe of Commerce," London, 1638. "The Treasure of Trafficke; or, a Discourse of Forraigne Trade," 1641. "England's Treasure by Forraigne Trade," 1644. "England's Interest and Improvement," 1663. There are four works by Mr. Roger Coke, namely, "A Treatise wherein is Demonstrated that the Church and State of England are in Equal Danger with the Trade of it," 1671. 2nd,— "Reasons of the Increase of the Dutch Trade," 1671.

3rd,—"England's Improvement," 1675. 4th,—"How the Navigation of England may be Increased," 1675. "England's Greatest Happiness," 1677. "Britannia Languens; or, a Discourse on Trade," 1680. "A New Discourse on Trade," 1668. "Discourses upon Trade," 1691. *"An Essay on the Probable Methods of Making the People Gainers in the Balance of Trade*."

Section IV.

On Public Records—Satirical Productions and Ballads of a Political character—The Drama—Newspapers, &c., &c.

Besides the regular treatises, written expressly on political subjects, that we have ventured to scan over in this chapter, and which, form the staple commodity of British speculation on the abstract nature and functions of government, there are other classes of works, which have aided, in some measure, the cause of truth and knowledge on the science of politics. On some of these publications, we shall make a remark or two.

In the first place, we may mention the Public Records of the kingdom. An immense body of interesting and useful information is to be derived from this source. They abound with matters of fact, which enable a general reasoner to verify and establish his abstract propositions and principles. The records of the proceedings of parliament, and the state trials up to the revolution of 1688, abound in valuable mate-

* See note A, at the end of the volume.

rials to the politician. *State Proclamations*, from 1558 to 1624, may be occasionally met with in private hands, and even in some few public libraries. There is a valuable collection of this kind, which forms a continuation to the above, embracing the royal proclamations from 1625 to 1717, now in the possession of the Cheetham Library, Manchester. The *Harleian Miscellany*, in ten, and Lord Somer's Tracts, in twelve volumes, quarto, contain an immense body of curious political writing. In addition to these, there are the *King's Tracts*, in the British Museum, filling more than a score of volumes, and abounding with the rarest and most notable tracts published during the civil wars.

The "Harleian Miscellany," in ten volumes, contains an immense storehouse of curious and interesting political writing, on almost all theoretical and practical matters of general polity. There are likewise to be found here, several satirical poems on some of the more striking political events of the times; such, for example, as "Roy's Satire against Cardinal Wolsey," 1526, containing full eighty quarto pages. In this interesting and voluminous collection most all the political papers or essays are, however, very brief, many of them only amounting to a few pages, or even a single leaf or two. On this account the Harleian papers, taken as a whole, will not afford much aid to philosophical politicians who aim at obtaining an enlarged and profound view of all the abstract principles of the science of their favourite study. The assistance they will chiefly obtain will be that of recognising the state of public excitement at any given period, and the hold that particular political questions and measures seemed to have on the popular understanding.

The collections of political tracts, squibs, pamphlets, &c., at the Royal Institution, Albemarle-street, London, are valuable. Collection A, 23 vols. fol.; Collection B, 29 vols. fol.; Miscellaneous D, 10 vols.; Political E, 65 vols.; Duten's collection F, 87 vols.; Historical G, 5 vols.; Miscellaneous H, 8 cases; Miscellaneous I, 2 cases; Miscellaneous K, 63 vols.; Miscellaneous L, 7 vols.; state tracts M, 3 vols.; and Rushworth's collection, 8 fol. vols.

In the Free Library, Manchester, there is a collection of political tracts, embracing matters both of theory and speculation, on trade, commerce, finance, revenue, &c., of nearly seven thousand volumes. This is, we believe, the largest and best assortment of the kind in Great Britain. Writers who wish to enter fully into any of the leading divisions of political science, will find in this collection, a great and diversified mass of interesting and useful information.

In the writings of the historians, from the Reformation in England, to the accession of the Prince of Orange, many important political opinions and sentiments will be found. The same remark is applicable to the general mass of theological works; particularly sermons, which underwent a marked change, with the fluctuations of public opinion, on matters of state necessity or expediency.

The popular songs of a nation constitute one of the most palpable manifestations of its political feelings and sympathies; and this is more strikingly the case, if other legitimate channels for the expression of public sentiment be choked or dried up by the repressive hand of power. The song writer is an ubiquitous and privileged character. He pursues his avocation in the

family circle, in the workshop, in the tavern, at the gay festival, in the squallid alley, in the barrack-room of the soldier, and in the mess-room of the sailor. His strains are hearty, bold, and genial; the embodiment of thought, emotion, and melody. The popular song is easy, simple, and born of the incidents of the day. It is the intellectual personification of the feelings and opinions of a people. It is the delight of the multitude—the joy and solace of the many. It laughs in derision at despotic power, lightens the social burdens of life, and inspires the patriot with hope. Of the popular satirical song, much has been written, but nothing definitely settled. There is a schism among critics on its nature and character. It is a compound of delicate essences, and incommunicable graces, which bids defiance to definition. But we know that popular songs must be the energetic and faithful transcripts of general experience and feelings. Their necessary characteristics are fancy, passion, dramatic effect, rapidity and pathos. They are not transferable; the popular satire and humour of one country, cannot be adequately relished by another; nor, in the same country, are such productions so influential on public opinion in subsequent periods of its history, as when they first appeared. Time blunts the instrument, and deadens the national perceptions of the witty and the ridiculous.

The political influence of the poetic muse gradually increased, as politics became more generally studied and literature cultivated. The kingly office had its poet-laureates, whose chief office it was to sing their praise, and herald their virtuous deeds and sage councils to the ears of their subjects. The fulsome, and often very childish strains in which this was done,

frequently called from untitled pens some severe rebuke and satirical effusion, which told upon the public mind of the day, to the no small annoyance of both the royal personages and their ministers and courtiers. In the writings of the several poet-laureates from Benard, in the reign of Henry VIII. to Nahum Tate, who died in 1715, there is not much of a political character to excite the attention of the reader.

When Henry V. embarked for France, in 1415, he was attended by fifteen minstrels, to each of whom he gave the sum of twelvepence a day. We are told, however, that the king's modesty was so great that he would not allow the court poets to sing of his daring exploits at Agincourt, because they were all to be referred to the hand of providence*.

In the times of Henry VIII., the reformers and their opponents, or, as they were called, the old and the new profession, had each their respective set of ballad makers. The well-known ballad of "Luther, the pope, a cardinal, and a husbandman," and "Little Johnny Nobody," are descriptive of the contentions about religious doctrines, and the nature and limits of ecclesiastical power. There were, indeed, a great number of common ballads circulated in the lower ranks of life, which sung the praises of the German reformers, and which touched upon the more prominent events of the continental movement, with great humour and drollery.

In 1588 we have the national hymn on the threatened Spanish invasion.

"From our base invaders,
From wicked men's device,

* Hollinshed.

O God! arise and aid us
And crush our enemies.
Sink deep their potent navies,
Their strengthen'd spirits break,
O God! arise and help us,
For Jesus Christ, his sake.

"Though cruel Spain and Rome
With heathen legions arm,
O God! arise and help us,
We will perish for our home;
We will not change our Credo
For Pope, nor Book, nor Bell;
And if the devil comes himself,
We will drive him home to hell."

Of our national anthem, "God save the King," much has been written. The tune is attributed to a Dr. John Bull, and the words to Ben Jonson; it has been claimed by the French; and some affirm it to be a Jacobite song, and first applied to King James I.

There are many separate collections of political and satirical songs and poems, published before the Revolution of 1688. Several productions of this kind will be found in the general collections of state papers already mentioned. There is a collection of poetical effusions, called "The Rump," containing articles printed between 1639 and 1661. In the preface, it is said, "You have many songs here which were never before in print; we cannot tell you whose they are; but we have not subjoined any author's name; heretofore it was unsafe. 'Tis hoped they did your majesty some service; 'twas for that end they were published."

The two large collections of what are known by the name of "The Rump Songs," are curious chronicles of

popular feeling. "The Rump" formed a never-failing theme for wit and satire.

"The Rump's an old story, if well understood,
Tis a thing dress'd up in a parliament's hood,
And like it—but the tail stands where the head should,
'Twould make a man scratch where it does not itch,
They say 'tis good luck when a body rises
With the rump upwards; but he that advises
To live in that posture, is none of the wisest."

When Cromwell hunted the "Rump" out of the House of Commons by military force, a song says:

"Our politic doctors do us teach,
That a blood-sucking red coat is good as a leech,
To relieve the head, if applied to the breech."

As a specimen of the political rhyming of the times, we shall give a few lines from "The True Presbyterian," by Sir John Denham, knight, 1680.

"A Presbyter is such a monstrous thing,
That loves Democracy, and hates a King;
For royal issue never making prayers,
Since Kingdoms (as he thinks) should have no heirs,
But stand Elective; that the holy crew
May, when their zeal transports them, choose a new.
And is so strangely grounded in belief,
That anti-christ his coming will be brief,
As he dares swear, if that he swear at all,
The Quakers are ordained to make him fall.
From whence he grows impatient, and he says,
The wisest counsels are but fond delays,
To hold him lingering in deluding hope,
Else long ere this he had subdu'd the Pope.

* * * * * * * * *

A Presbyter as he has woman's fears,
And yet will set the whole world by the ears;

He'll rail in public if the king deny,
To let the quarrel of the Spaniard die.
He storms to hear in France the wars should cease,
And that by treaty there should be a peace."

There were several satirical pieces published at the end of the seventeenth century, in imitation of the celebrated "Hudibras" of Butler. We have the "Hogan-Moganides; or, the Dutch Hudibras," 1674. "The Irish Hudibras," 1689. "The Whig's Supplication," 1695. In Imitation of Hudibras; or, the Dissenting Hypocrite," 1700; and "Pendragon, or the Carpet Knight," 1700. The "Imitation" is an abusive article on De Foe; and the "Pendragon" is a smart attack on Sir Roger L'Estrange; he is described as

"A pliant tool, oblig'd with knighthood
And large rewards, he was excited
To serve the times through all excesses,
And on foul deeds to put fair faces,
Until he grew to be the great
Prevaricator of the state;
Thus all true Englishmen be found,
Pendragon with his pen dragoon'd."

Edward Ward, or as he was commonly called Ned Ward, was one of the most notorious retailers of political lampoons and scurrility of the times. His "British Hudibras," and his "Hudibras Redivivus," are his chief works in this line. The first publication is devoted to the burning of Burgess's chapel, by a mob, and the display of party feeling it gave rise to. The second work is a satire on the low church party. The following is a description of a meeting of puritans.

" A throng of searchers after truth
Were crowding at the alley's mouth,
Wherein the conventicle stood,
Like Smithfield droll-booth, built with wood;
All shoving to obtain admittance,
As if they hop'd for full acquittance
Of all the evils they had done,
From that time back to forty-one:
Some wrapt in cloaks that had been wore
By saints defunct, in times of yore:
Others in coats, which by their fashion
Bore date from Charles's restauration,
Shelter'd beneath umbrella hats,
And canoniz'd with rose cravats,
That by their querbos and their quaints,
The world might read them to be saints;
Their sweaty rat-tail hair hung down
To th' shoulders from each addled crown,
Kept thin, to cool their frantick brains,
And comb'd as straight as horses' manes;
Their bodies almost skeletons,
Reduc'd by zeal to skin and bones,
So lean and envious in the face,
As if they'd neither grease nor grace.
The good old dames, among the rest,
Were all most primitively drest
In stiffen-body'd russet gowns,
And on their heads old steeple crowns;
With pristine pinners next their faces,
Edg'd round with ancient scollop laces,
Such as my antiquary says,
Were worn in old Queen Bess's days,
In ruffs, and fifty other ways:
Their wrinkl'd necks were cover'd o'er,
With whisks of lawn by grannums wore,
In base contempt of bishops' sleeves,
As Simon Orthodox believes.
At length up stepp'd the formal prater,
Who was of country May-pole stature,
Slender, stiff-neck'd, extremely tall,
Long-faced and very thin withal.

No sooner had old Heart-of-Oak,
Upon a peg hung hat and cloak,
But round their sockets did he rowl
The little windows of his soul;
But soon we found his eye-balls hid,
Turn'd up beneath each upper lid,
And then he work'd about the whites,
As mad-men do in raving fits;
Reel'd in his tub from side to side,
And wrung his hands as if he cry'd.
His beard from shoul' to shoulder rov'd,
And like the clock-work drummers mov'd;
Thus yawn'd, and gap'd, and gently styrr'd
His head, but yet said ne'er a word;
Made many strange Geneva faces,
And out-did twenty apes' grimaces.
At last his tongue its silence broke,
And thus the rev'rend spin-text spoke."

OLDHAM was a severe satirist in his day, against the Roman catholics. In his "Satires on the Jesuits," he alludes in the following lines to the "Golden Legends" of Voraginus.

"Tell, how *blessed Virgin* to come down was seen,
Like play-house punk descending in machine,
How she writ *Billet-doux*, and *love-discourse*,
Made *assignations, visits* and *amours;*
How Hosts distrest, her *smock* for *banner* wore,
Which vanquished foes!—
———how *fish* in conventicles met,
And *mackerel* were with *bait of doctrine* caught:
How cattle have judicious hearers been!—
How *consecrated hives* with bells were hung,
And *bees* kept mass, and holy *anthems sung!*
How *pigs* to th' *rosary* kneel'd, and *sheep* were taught
To bleat *Te Deum* and *Magnificat;*

How *fly flap*, of church-censure houses rid
Of insects, which at *curse of Fryar* died.
How *ferrying cowls* religious pilgrims bore
O'er waves, without the help of sail or oar,
How *zealous crab*, the *sacred image* bore,
And swam a Catholic to the distant shore.
With shams like these the giddy rout mislead,
Their folly, and their superstition feed."

THOMAS CREED published his "Micro-Cynion; or, Sixe Snarling Satyres," in 1599. The publication called "Mercurius Menippens, the Loyal Satyrist; or, Hudibras in Prose," was written during the civil wars under Charles I.; but not printed till 1682. This will be found in the *Somer's Tracts*. "The New Discovery of an Old Intreague," 1691. "The Moralist; or, a Satyr upon the Sects," 1691. "A New Year's Gift for the late Rapparees, a Satyr," 1693. "Massinello; or a Satyr against the Association and the Guildhall Riot," 1694. "Scandalum Magnatum; or, Potapski's Case; a Satire against Polish Oppression," 1694. "Reformation of Manners; a Satyr, 1700. "Collection of Loyal Songs written against the Rump Parliament." "Collection of 180 Loyal Songs," 1685. Evan's "Old Ballads," 4 vols., 1810. "Collection of Poems relating to State Affairs, from Oliver Cromwell to the present day," London, 1705. "Poems on Affairs of State," by various hands; namely,—the Duke of Buckingham, Earl of Rochester, &c., 2 vols., 1697, 1703. There are about fifty distinct political satyres and squibs, down to the year 1700, in the Bodleian Library, Oxford,; the names of which will be found in the catalogue, under the head of *Poemata*.

In D'URFEY's "Pills to Purge Melancholy," we have the political trimmer described in these lines:—

"Pray lend me your ear if you've any to spare,
You that love commonwealth, as you hate common prayer;
That can in a breath pray, dissemble, and swear,
Which nobody can deny.

"Of our gracious King William I am a great lover,
Yet side with a party that prays for another;
I'll drink the King's health, take it one way or other,
Which nobody can deny.

"The times are so tickled, I vow and profess
I know not which party or cause to embrace;
I want to join those that are least in distress,
Which nobody can deny.

"Each party you see is thus full of hope,
There are some for the Devil and some for the Pope,
And I am for anything else but a *rope*,
Which nobody can deny."

JOHN CLEVELAND was a political and poetical satirist of great note in his day. His works were published in one volume, in 1699, although he died in 1658. It contains poems, orations, and epistles; likewise the "Rustic Rampant; or, Rural Anarchy."

In the several publications of the "Percy Society," there will be found a good number of satirical productions of a political cast, both in prose and verse.

The early poetical effusions of Scotland, as we have already mentioned in the first section of this chapter, had, unquestionably, a great influence over the minds of the people of that country, because they were generally founded on the prevailing movements of political

factions, and the civil animosities of the times. Many of the national songs, which had an almost universal circulation, were, however, of an unusually licentious and indelicate character.

The Presbyterian church, as well as the catholic hierarchy, was sometimes severely handled by some of the popular song writers of the day. John Knox relates, that a person of the name of Wilson, published a ballad against some of the preachers of the Scottish kirk, and had a very narrow escape from hanging!

Among the lyrical poetry of the north, of a political stamp, we must not pass over the *Jacobite relics* of Scotland. They form a rude and satirical commentary on the history and fortunes of the Stuart family in latter times, and are intimately connected with our popular notions on the rights and privileges of the British constitution. These well-known songs are coarse, but full of humour; and they spring from the genuine sentiments of those who sincerely lamented the political changes which gave them birth. The effects of these songs on the minds of a considerable bulk of the people, continued long after the particular incidents and events which gave rise to them; and even at the present hour are not altogether devoid of interest to many influential families in Scotland.

Not a tenth part, it is supposed, of these Jacobite songs have, as yet, been published. The only collection here referred to is that by James Hogg, the Ettrick Shepherd, who published two volumes—a first and second series of them. There are likewise a goodly number of whig songs in answer to them; but they form no proportion to those of their rivals. The great mass of these songs relate to events of the first half of

the eighteenth century; but we shall give a specimen or two of songs anterior to that date.

SONG, written about the middle of the Commonwealth.

"AWA, WHIGS, AWA,"

"Our thristles flourish fresh and fair,
And bonie bloom'd our roses,
But whigs came like a frost in June,
And wither'd all our poses.
Awa, whigs, awa,
Awa, whigs, awa.
Your but a pack o'traitor louns,
Ye'll do nae gude at a'.

"Our ancient crown's fa'n in the dust,
Deil blin' them wi' the stoure o't,
And write his name in his black beuk,
Wha gae the whigs the power o'nt.
Awa, whigs, &c.

"Our sad decay in church and state,
Surpassing my describing;
The whigs came o'er us for a curse,
And we hae done wi' thriving.
Awa, whigs, &c.

"Grim vengeance lang has ta'en a nap,
But we may see him wauken;
Gude help the day, when royal heads
Are hunted like a maukin.
Awa, whigs," &c.

SONG, 1689,

On the battle between the Highland Army, and the Dutch-English, commanded by General Mackay, at the pass of Killikranke.

"Clavers and his high-land men,
Came down up o' the raw, man;
Who, being stout, gave mony a clout,
The lads began to claw then.

With sword and terge into their hand,
Wi' which they were nae slaw, man,
Wi' mony a fearful heavy sigh,
We lads began to claw then.

" O'er bush, o'er bank, o'er ditch, o'er stauk,
She flung amang them a', man;
The butter-box got mony knocks,
Their riggings paid for a' then.
They got their paiks, wi' sudden straikes,
Which to their grief they saw, man;
Wi' clinkum clankum o'er their crowns,
The lads began to fa' then.

" Hur skipt about, hur leapt about,
And flang amang them a', man;
The English blades got broken heads,
Their crowns were cleav'd in twa then.
The durk and doar made their last hour,
And prov'd their final fa', man;
They thought the devil had been there,
That play'd them sick a paw then.

" The solemn league and covenant,
Came whipping up the hills, man;
Thought highland trews durst not refuse,
For to subscribe their bills then:
In Willie's * name they thought nae ane
Durst stop their course at a', man;
But hur nane-sell, wi' mony a knock,
Cry'd Furich-whiggs, awa', man.

" Sir Evan Du, and his men true,
Came linking up the brink, man;
The Hogan Dutch they feared such,
They bred a horrid stink, then,
The true Maclean, and his fierce men,
Came in amang them a', man;
Nane durst withstand his heavy hand,
All fled and ran awa, man.

* Prince of Orange.

"O fy for shame, ye're three for ane,
Hur nane-sell's won the day, man;
King Shames' red-coats should be hung up,
Because they ran away, then:
Had bent their brows, like highland trows,
And made as lang a stay, man;
They'd sav'd their king, that sacred thing,
And Willie'd run awa' then."

SONG—"A HEALTH TO THE CONSTITUTION."

"Fill up the mighty sparkling bowl,
Let's join a health without control,
To the pious mem'ry of the soul,
That formed the revolution.
To all loyal lads, here's three in hand,
'Tis the king, and the church, and the laws of the land,
May the one by the other firmly stand,
And guard our constitution.

"Let's all join hands and merry be,
Pledge you the right, let the left pledge me,
And in a health let's all agree,
To our king and constitution.
Through north and south to true whigs all,
To Cumberland who gives the call,
By crushing our foes who loud did bawl,
Against the revolution.

"In flowing bowls let's friendly heal
The jars of state and commonweal,
The health we drink let not control,
To our great legislators.
May peace and plenty bless our seed,
Our fleet and armies still succeed,
Kings, lords, and commons all agreed
In spite of all conspirators."

The Irish patriotic songs took their rise soon after

Henry the Eighth's time. Spencer, who lived long in Ireland during the reign of Elizabeth, tells us, that "There is among the Irish a certain kind of people called bards, which are to them instead of poets, whose profession is to set forth the praises or dispraises of men in their poems or rhymes; the which are had in such high regard and estimation amongst them, that none dare displease them, for fear to run into reproach through their offence, and to be made infamous in the mouths of all men. * * * Whomsoever they find to be most licentious of life, most bold and lawless in his doings, most dangerous and desperate in all parts of disobedience and rebellious disposition, him they set up and glorify in their rhymes. * * * If he should be a most notorious thief and outlaw, which had lived all his lifetime on spoils and robberies, one of their bards will say, that he was none of the idle milk-sops that was brought up by the fire-side, but that most of his days he spent in arms and valiant enterprises; that he did never eat his meat before he had won it with his sword; that he did light his candle at the flames of their houses to lead him in the darkness; that the day was his night, and the night his day; and, finally, that he died not bewailed of many, but made many wail when he died, that dearly bought his death."

The poet of the O'Neils of Clanna-boy, sung of the woes and political oppressions of Ireland. "Our miseries were predicted a long time in the change these strangers wrought in the face of the country. They have hemmed in our sporting lawns, the former theatre of our glory and virtue. They have wounded the earth, and they have disfigured with towers and ramparts those fair fields which nature bestowed for the

support of the animal creation. The slaves of Ireland no longer recognise their common mother, she equally disowns us for her children; we both have lost our forms. Hapless land! the plunderer hath refitted you for his habitation, and we are now moulded for his purpose."

The historical songs of Ireland, which appeared in the struggle between James II. and William III. help to illustrate the state of public feeling in that country, on the political events of the day. These have been recently published by Mr. Croker. Hardiman's "Irish Minstrelsy," 1831, and Miss Brooke's "Reliques of Irish Poetry," 1789, are worth consulting.

The Orange songs are well-known for the influence they have long exercised over the minds of the Irish. The most popular is "The Battle of the Boyne," which, though common, we shall here transcribe.

"July the first, in Old Bridge town,"
There was a grievous battle;
Where many a man lay on the ground,
By cannons that did rattle;
King James he pitched his tents between,
Those lines for to retire,
But William threw his bomb-shells in,
And set them all on fire,

"Thereat, enraged he vow'd revenge,
Against King William's forces;
And oft he swore vehemently,
That he would stop their courses.
A bullet from the Irish came,
Which grazed King William's arm;
They thought his majesty was slain,
Yet they did him little harm.

"Duke Schomberg then, with friendly care,
His king would often caution;

To shun the spot where bullets hot,
Retained their rapid motion.
But William said, he don't deserve,
The name of faith's defender;
That would not venture life and limb,
To make a foe surrender.

"The horse they were to march first o'er
And the foot to follow after;
But the good Duke Schomberg was no more,
By venturing o'er the water.
But William said, be not dismayed,
For the loss of one commander;
For God will be our king this day,
And I'll fight general under.

"The cunning Frenchmen, near Duleek,
Had taken up their quarters;
And fenced themselves on every side,
Waiting for new orders.
But in the dead time of the night,
They set their fields on fire;
And long before the morning light,
To Dublin did retire.

"Then said King William to his men,
After the French departed;
I'm glad, said he, that none of you,
Seem to be faint hearted;
So sheath your swords and rest awhile,
In time we'll follow after;
Those words he uttered with a smile,
The day we crossed the water.

"The protestants of Drogheda,
Have reason to be thankful;
That they were not to bondage brought,
Though being scarce a handful;
First to Tholsel they were brought,
And next to Mil-mote after;
But good King William set them free,
By venturing o'er the water.

But let us all kneel down and pray,
Now and for ever after;
And never more forget the day,
King William crossed Boyne Water."

We have made these allusions to the satirical and ephemeral poetry of the hour, solely with the view of throwing some degree of light on the political sentiments of the times. What we have stated will, we are fully aware, fall far short of the requirements of the enthusiastic bibliographer and the antiquarian critic. But the little we have stated may be sufficient to point out the sources, where other writers may prosecute more extended inquiries on the subject. Our object is to illustrate political, and no other branch of general literature.

The drama, during the period of history now under review, was, to a limited extent, a vehicle for political opinions and satire; but the nature and intensity of these varied with its own external fortunes, and the struggles and vicissitudes of parties. Political sentiment and satire here present three distinct phases; the spirit which animated the drama previous to the contentions between the crown and the parliament; that which was displayed during the civil wars and the times of the commonwealth; and that which manifested itself after the Restoration, and the establishment of the House of Orange on the throne. The mass of dramatic pieces in each of these sections of history, bears on its front the visible imprints of the public feeling and sentiment of the times.

In the time of Henry VIII. the stage teemed with dramas, composed of a mixture of polemical divinity, and of the general reformed sentiments of the conti-

nent. In the play of "Lusty Juventus," the youth of the day are represented as gospellers, or friends to the reformation, and the old people as being remarkably tenacious of their own creeds. The devil is introduced, lamenting the downfal of superstition.

> "The olde people would believe stil in my lawes
> But the yonger sort leade them a contrary way,
> They wyl not beleve, they playnly say,
> In olde traditions, and made by men," &c.

"Hypocrisy," one of the actors, urges,

> "The worlde was never meri
> Since chyldren were so boulde;
> Now every boy will be a teacher,
> The father a fool, the chyld a preacher."

Some years before the days of Charles I. the drama generally confined itself to the prevailing social topics of the hour—not aiming at becoming a very obtrusive political instrument. During the parliamentary struggles, and the influence of puritanical doctrines, the theatre was thrown into the back-ground. On the restoration of Charles II. political sentiments became again extensively incorporated with dramatic representations. The order of the day was for the most extravagant eulogiums on the value and sacredness of princes, and on the importance of monarchical principles of legislation generally. The heads of the theatrical poets run quite wild on these points; and even Dryden himself was compelled to cater to the depraved and morbid feelings of the day.

Lord Landsdowne, in his "Essay on Unnatural Flights of Poetry," describes the causes of this state of things among the dramatists of the age.

"Our king return'd, and banished peace restor'd,
The muse went mad to see her exiled lord;
On the crack'd stage the bedlam heroes roar'd,
And scarce could speak one reasonable word.
Dryden himself, to please a frantic age,
Was forced to let his judgment stoop to rage;
To a wild audience he conform'd his voice,
Complied to custom, but not err'd by choice;
Deem then the people's, not the writer's sin,
Almanzor's rage, and rants of Maximin."

That great instrument, the *Newspaper Press*, which in modern times has obtained such wide-spread political power over the minds of civilised communities, was, in the period of history now under consideration, of little or no importance. The origin and early progress, however, of such a gigantic and efficient organ of opinion, are both interesting and curious.

It was in the reign of Queen Elizabeth that printed sheets, containing public intelligence, were circulated among the people of England. The earliest specimens of these are among the "Historical Collections" of Dr. Birch, now in the British Museum, and relate to the descent of the Spanish Armada. These papers were published under the name of "The English Mercurie, published by authoritie for the contradiction of false Reports;" and the last number of this publication contains an account of Elizabeth's thanksgiving at St. Paul's for the signal victory she had obtained over the enemies of her country.

After the discontinuance of this paper, many years elapsed before anything in the shape of a newspaper was published. The next adventure of the kind appeared under the title of "News out of Holland," in 1619, and was followed by other publications of a

similar stamp, containing intelligence from different countries during the years 1620, 1621, and 1622. In the last year, the Thirty Years' War commenced; and the movements of Gustavus Adolphus creating intense interest in this country, the two events gave rise to the publication of the "News of the Present Week," edited by Nathaniel Butter, which was the first regularly established weekly newspaper in England.

In a few years after this the civil war between Charles I. and the Parliament commenced. This event changed the character and vastly increased the number of periodical publications. The newspaper of the day was not now exclusively confined to foreign intelligence, but embraced home news and domestic occurrences, now becoming extremely interesting from the conflicts of opposing parties. These works were spread in every direction under the names of "Diurnals," "Special Passages," "Mercuries," "Intelligencers," and the like; and were generally printed on a sheet of a small quarto size. It is said that about twenty of these productions made their appearance in the year 1643. Some of these were called "News from Hull," "News from the North," "News from Windsor," and so on. The names they bore were likewise, in many cases, quaint and singular. We find the "Scots' Dove" in stout opposition to "The Parliament Kite," or, "The Secret Owl;" "Heraclitus Ridens" set himself against "Democritus Ridens," and "The Weekly Discoverer," found itself tackled every week by "The Discoverer Stript Naked." "Mercuries" were especial favourites. There were "Mercurius Britannicus," and Mercurius Mastix,"

whose patriotic effusions were directed against the effectual extirpation of "All Scouts, Mercuries, Posts, Spies, and the like." In 1662 the "Kingdom's Intelligencer" was commenced in London. Among other novelties it took notice of the proceedings in parliament. Then came, the year after, Sir Roger L'Estrange's "Intelligencer," already noticed. This was followed by the "London Gazette," first called the "Oxford Gazette," having been issued at Oxford where the court was then sitting. This was published in 1665; and in three years after, the number of newspapers had increased to *seventy*.

L'Estrange was appointed licenser of the press; and issued a "proclamation for suppressing the printing and publishing unlicensed news-books and pamphlets of news, because it has become a common practice for evil-disposed persons to vend to his majesty's people all the idle and malicious reports that they could collect or invent, contrary to law; the continuance whereof would, in a short time, endanger the peace of the kingdom; the same manifestly tending thereto, as has been declared by all his majesty's subjects unanimously."

Newspaper speculations went on increasing; but great difficulty was often felt in filling them, small as they then comparatively were, with materials. The "Rising Sun" was published in Cornhill, on a sheet of fine paper, half of which was blank, that the purchaser, if he liked, might write his own private affairs on it, or the current news of the day. In some other papers the blank part was filled up with quotations from the bible. There was no daily paper till after the commencement of the eighteenth century.

There are several *parodies* to be found among the political writings of a satirical cast. Some of these are both witty and amusing. Marvel's parody on the speeches of Charles II., is one of the best of the kind. It is too long to be given in full; but we shall quote a few paragraphs to show the style of the author.

"My lords and gentlemen,—I told you at our last meeting, the winter was the fittest time for business, and truly I thought so, till my *lord treasurer*, assured me the spring was the best season for salads and subsidies. I hope, therefore, that April will not prove so unnatural a month as not to afford some kind showers on my parched exchequer, which gapes for want of them. I can bear my straits with patience; but my *lord treasurer* does protest to me, that the revenue, as it now stands, will not serve him and me too. One of us must pinch for it, if you do not help me. I must speak freely to you; I am in bad circumstances; for besides my harlots in service, my *reformado* concubines lie heavy upon me. I have a passable good estate, I confess; but, God's-fish, I have great charge upon it. * * * The nation hates you already for giving me so much, and I will hate you, too, if you do not give me more. * * * I have converted my natural sons from popery; and I may say, without vanity, it was my own work, so much the more peculiarly mine than the begetting them. They are all fine children, God bless 'em, and so like me in their understandings. * * * I desire you to believe me as you have found me; and I do solemnly promise you, that whatsoever you give me shall be specially managed with the same conduct, trust, sincerity, and prudence, that I have ever practised, since my happy restoration."

There were a few *political catechisms* published before the year 1700. We have found the following somewhat amusing. "A Political Catechism, concerning the Government of this Land," 1643; "Catechism annexed to Henry Parker's Portraiture of the Kings of England;" "A Satyricall Catechisme betwixte a Newter and a Roundhead," 1648; "The Soldier's Catechisme, composed for the Parliamentary Army," 1684; and the "Rebel's Catechism" by Peter Heylin.

During the period of the Revolution, and to the year 1700, caricature was not much cultivated in England. Those caricatures, for example, upon Cromwell, and his friends, were of Dutch origin, and executed by Dutch artists. Even those which were extensively circulated in this country a few years after, and which referred to the South Sea Bubble, were from Holland.

We are told, however, by Warton, in his "Life of Pope," that, in the reign of Mary, when England was groaning under the Spanish yoke, the queen's person and government were held up to perpetual ridicule by prints or pictures "representing her majesty naked, meagre, withered, and wrinkled, with every aggravated circumstance of deformity that could disgrace the female figure, seated in a regal chair; a crown on her head, surrounded by M.R. and A. in capitals, accompanied by small letters; *Maria Regina Anglicæ!* A number of Spaniards were sucking her to skin and bone, and a specification was added of the money, rings, jewels, and other presents with which she had secretly gratified her husband Philip." There are likewise caricatures in the reigns of Elizabeth and Charles I.*

* See Note B, at the end of the volume.

CHAPTER III.

POLITICAL LITERATURE OF FRANCE, FROM THE YEAR 1400, TILL 1700.

At an early period of the reform movement in Germany, the political and religious opinions of the French people became influenced, to a considerable extent, by the doctrines of the new creed. But the reform notions which found their way here, were, as in most other countries, more of a religious than a political cast. Still they had a visible reflex effect upon the general ideas of government and law. No small portion of the social and political corruptions of France, at this time, rested upon a religious basis; and when the church began to be stripped of its infallibility, those institutions, unfriendly to liberty and human improvement, naturally felt the shock and became subject to discussions and suggestions of amendment and change. The kings of France were certainly, in the abstract, independent of the Roman see; but in the administration of governmental affairs, both general and municipal, arbitrary rule and priestly domination, prevailed to an unwholesome and ruinous extent.

It is requisite to premise that a knowledge of the external history of the political and civil institutions of France is indispensable to a proper appreciation of its political literature. Unless we have a general idea of

the form of government, the fiscal regulations, the municipal institutions, the religious tenets, and the ecclesiastical regime of the country, it would be impossible to recognise the progress of its political philosophy, and to estimate the value and importance of those successive changes of public opinion which the course of time developes. To guide the judgment we must always be looking from the present to the past. We must compare the opinions and sentiments of one period with those of another, and mark the successive steps of theoretical and practical legislation. It is quite obvious, for example, that English readers and thinkers will often be at fault in estimating the importance of French political treatises, from the sheer want of that portion of knowledge, which, as natives of our own country, we imbibe without almost any labour; but which cannot be obtained on the same easy terms, on foreign topics of speculation and practice. A foreign government is like a foreign language, which can seldom or never be mastered in all its comprehensive fulness, by one who has to learn it only from books or scholastic assistance. It must, therefore, be to the general principles of polity, that we, as strangers, must direct attention. These are the grand land-marks of all scientific knowledge; and it is by steadily keeping them before the mind that real progress is made from one generation to another in that most vital of all sciences —the science of congregated humanity.

It is a curious topic of speculation to contrast the nature and character of British expositions of political science with those of France in corresponding eras of history. Separated only by a narrow strait of twenty miles, how different is the development of general

principles in the two countries! Who would imagine for a moment that such a trifling geographical distinction between two nations, rivals in arts and sciences, would display such a diversity in their aptitudes to deal with the leading maxims of legislation, and to turn them into useful and practical results. Yet what a singular contrast does the abstract social and civil philosophy of France present to our own; and how different the political views and institutions on each side of the channel. Here we have the Saxon customs and principles of Alfred; there our neighbours have the *Capitularies* of Charlemagne, and the *Ordonnances* of St. Louis. Yet, amid all this diversity of thought and action, we can distinctly recognise points of affinity, grounded on the sameness and identity of scientific maxims of justice, right, and public expediency.

The university of Paris, from its civil position and privileges, as well as from the learning of its members, took an important part in the public proceedings of France. And this was particularly the case with that great section of it, called the *Sorbonne*, which, independent of its vigilance over theological questions—constituting its legitimate province—took upon itself the adjudication of all questions affecting the general principles of law, and the political rights and privileges of the citizens. Its eyes were constantly on the watch for every movement of the human mind towards liberty and improvement. In proportion to the weakness or distraction of the governments of the day, in the same ratio were the zeal and activity of this collegiate body invigorated and strengthened. Without possessing an actual independent existence of a civil

character, it, nevertheless, exercised over the mind of France a widely spread political influence and authority.

As a specimen of the sentiments of the University of Paris, in the early part of the fifteenth century, we shall lay before the reader the following carefully drawn up rules or maxims, on the policy and justice of taking away the life of any tyrannical person.

"1st,—It is lawful for every subject, without any command, according to moral, natural, or divine laws, to kill, or cause to be killed, every tyrant, who, through covetousness, or other improper motive, plots against the corporal safety of his king and sovereign lord, to deprive him of his most noble lordship; and not only lawful, but even honourable and meritorious, even when he is of such high power, that justice cannot be well executed by the sovereign.

"2nd,—Natural, moral, and divine laws, authorise each person to kill, or cause to be killed, the said tyrant.

"3rd,—It is lawful for each subject to kill, or cause to be killed, the above mentioned tyrant, treacherous and disloyal to his king and sovereign lord, by snares; and it is lawful to dissemble and conceal the intention to do so.

"4th,—It is sound reason and justice that every tyrant shall be disgracefully killed by snares, and it is the proper death by which disloyal tyrants ought to die, to kill them disgracefully by wiles and snares.

"5th,—He who kills, or causes to be killed, in such a way, every tyrant, is not to blame in any respect; and the king ought not only to be pleased at it, but

ought to consider the action an agreeable one, and to authorise it as much as might be required.

"6th,—The king ought to thank him who kills, or causes to be killed, a tyrant in the above conditions, in three ways,—in affection, honour, and riches; in imitation of the remunerations made to St. Michael, the archangel, for the expulsion of *Lucifer* from the kingdom of paradise, and by the noble *Phineas* for the expulsion of Duke *Zambri*.

"7th,—The king ought to love more than before him who kills, or causes to be killed, the above-named tyrant in the manner stated, and ought to have his faith and loyalty extolled within his kingdom and without.

"8th,—The letter kills, but the spirit quickens; that is to say, that to always observe the literal sense in the holy scriptures is to kill one's soul.

"9th,—In case of alliance, oath, promise, or confederation, made by one knight with another in any manner whatever, should it happen that it turns to the prejudice of one of the parties concerned, or of his wife or children, he is not bound to keep it."

These political principles, and others of a similar complexion, supported by the theological body of France and other sections of Europe, grew out of the systems of moral casuistry which the learned doctors of divinity had for ages adopted in all their academical institutions. Indeed, these systems were the life-spring of all their influence and power; and knowing and feeling this to be the case, they directed every mental faculty towards sustaining and developing them, and making them as theoretically perfect as possible. And in this undertaking they succeeded to an amazing extent. One generation of profound thinkers after an-

other had taken up the sophistical web, till they had made such a tissue of labyrinths that it became impossible for ordinary minds to extricate themselves out of them, without coming in contact with the church authorities of the day. Perceiving the intimate relationship subsisting between the moral duties of ordinary life, and those which appertained to the functions of citizenship, they jumbled them together; subjected them to the same rules of abstract reasoning—and drew inferences from the heterogeneous mass, that affected kings and governments, as well as the humblest subjects of the realm. What applied to morals applied to politics; and what applied to a king applied to a peasant. Being at the head of all private and public instruction, and taking under their auspices the entire moral sentiments and opinions of a nation, the learned doctors moulded and influenced them in such a manner as to bring the national feelings of a whole people to bear directly upon the great principles of legislation and government. The doctors knew that public opinion must necessarily consist of a collection of individual ideas and judgments; and, as they had always a full command over these, they could readily, on any given signal or emergency, turn the national will in any direction that suited them.

It is a one-sided notion, however, to conceive that the Roman catholic casuistical philosophy, on which the political opinions of the doctors of the Sorbonne rested, is one entire mass of error. It is not so. No system of pure and unsophisticated delusion, can gain a permanent hold of the mind of a nation. It is the mixture of truth with error that produces the real evil; and which renders its subsequent eradication a

matter of such labour and difficulty. The principles of all moral obligation being naturally involved in a certain portion of obscurity, and being susceptible of various interpretations, depending upon the different points of view from which they are contemplated, advantage was taken of this by the doctors of theology, and they played off one contradictory conclusion, and one moral sentiment against another, till they mystified the entire body of moral truth and evidence, and rendered the whole duty of man a mass of contradictions and puerilities. Every emotion and affection of the human soul was worked up into some fantastic shape, totally at variance with its healthy actions and aspirations. The principles and instincts which regulate communities of men were alike distorted, and pushed to mischievous and absurd conclusions. Indeed, the entire framework of social and political life became tainted to the heart's core, by a universal system of sophistical chicanery and logical drivelling, adopted and cultivated with indomitable pertinacity in all the public seminaries of instruction in France.

The number of moral treatises published during the sixteenth and seventeenth centuries, by the doctors of the Sorbonne, was very great; their name, in fact, is legion. We cannot muster courage to make an attack upon the colossal assemblage. They all more or less touch on political principles and systems; and it would be impossible to lay our hands upon any one of these publications, that does not contain a considerable portion of what any rational political philosopher would pronounce to be sound and wholesome doctrine. But the true is so blended with the false and absurd, that to effect the separation is almost impossible. For exam-

ple, the doctrine which the casuistical doctors call *first intention*, which they so artfully apply to moral questions of common life, is only another name for that *intention* which really enters into every private and public code of morality upon the face of the earth; and without the active presence of which no moral sentiment could exist, nor punishment or reward be given. Again, what the doctors call *probableism*, is only another term for private and public expediency, which forms such a necessary and important element in every system of social and political morality. But then the uses to which these admitted doctrines are applied, are so ridiculous and mischievous, both in private and public life, that we recoil, with a kind of instinctive horror, when we recognise our moral likeness in the mirrors of the Sorbonne. When a man's ideas of private morality become bedimmed, one of the great chances of making him a useful and enlightened citizen is lost. The system of political and moral casuistry besets the ordinary paths of life with thorns and briars, that legislative truths may be approached with difficulty and doubt.

Over the printing and publishing of all philosophical treatises, on politics and morals, the society of the Jesuits in France, whose doctrines we shall notice by-and-bye, had a complete control. Booksellers were prohibited from selling any such works unless the sanction of religious superiors was given to them. This was a fixed regulation, made law by Henry III., in 1583, and confirmed by Henry IV., in 1603, and Louis XIII., in 1612. Nothing, which did not breathe the spirit of the theological order, could be permitted to approach the public understanding. These

privileges were in the shape of official licenses. To be allowed to print in any form was a matter of great difficulty. Hence authors were driven to the expedients of getting their works printed at Geneva or the Low Countries; and often, to bring them before the public, fictitious names were appended to them.

FRANCIS HOTTOMAN.—"Franco-Gallia." This work is chiefly a compilation from the early French historians, to prove what share of political power a people should possess over a government, and in the selection of a sovereign.

STEPHEN DE LA BOETIE.—"Le Contr' Un; ou, Discours de la Servitude Volontaire," 1578. This author was the intimate friend of Montaigne. The aim of the work is to raise the mind above the servile fear of kingly power and authority. The following observations are taken from the treatise:—"He who plays the master over you, has but two eyes, has but two hands, has but one body, has nothing more than the least among the vast number who dwell in our cities; nothing has he better than you, save the advantage that you give him, that he may ruin you. Whence has he so many eyes to watch you, but that you give them to him? How has he so many hands to strike you, but that he employs your own? How does he come by the feet which trample on your cities, but by your means? How can he have any power over you, but what you give him? How could he venture to persecute you, if he had not an understanding with yourselves? What harm could he do you, if you were not receivers of the robber that plunders you, accomplices of the murderer who kills you, and traitors to your ownselves? You sow the fruits of the

earth, that he may waste them; you furnish your houses, that he may pillage them; you rear your daughters, that they may glut their wantonness, and your sons that he may lead them at the best to his wars, or that he may send them to execution, or make them the instruments of his concupiscence, the ministers of his vengeance. You exhaust your bodies with labour, that he may revel in luxury, or wallow in base and vile pleasures; you weaken yourselves, that he may become more strong, and better able to hold you in check. And yet from so many indignities, that the beasts themselves, could they be conscious of them, would not endure, you may deliver yourselves, if you but make an effort, not to deliver yourselves, but to show the will to do it. Once resolve to be no longer slaves, and you are free. I do not say that you should assail him, or shake his seat; merely support him no longer, and you will see that like a great Colossus, whose basis has been removed from beneath him, he will fall by his own weight, and break to pieces*."

HUBERT LANGUET.—"Vindiciæ contra Tyrannos," 1570. The author was a native of Viteaux in Burgundy, but died in the service of the Prince of Orange, at Antwerp, in 1581. He appeals to the Old Testament for his ideas of the offices and duties of a king. Those rulers who undermine true religion, or violate the laws of justice and humanity, lay themselves open to the just rebellion and retaliation of their subjects.

JOHN BODIN.—"Republic," 1577. This is a large folio volume, of nearly eight hundred pages. It is divided into six books.

* Le Contr' Un.

Bodin never dreams of disputing the foundation of sovereignty, nor calling it in question, as was afterwards done by many writers, both in England and on the continent. His notion of sovereign power is, that it is perpetual and unlimited. But then the author says again, that the prince is restrained by divine and natural laws*. He says the sovereign power is the image of God. He makes laws; institutes powers and magistrates; makes war and peace; judges without appeal; grants freedom; and incessantly maintains all governmental functions of the state by his arm and council†.

In the second book of his "Republic" he opens with a classification of the different kinds of government. He reduces them into three:—monarchy, aristocracy, and democracy; all other forms he refers to one or other of these primitive elements. Monarchy he subdivides into kingly, absolute, and tyrannical. Absolute power, he thinks, was the original form of all human societies, and it involves the complete authority of a prince over the lives and goods of his subjects. Kingly power, he speaks of with rapture; and considers the French monarchy, as constituted in his own day, the very height of perfection‡. Tyranny is defined by him to signify the power which any man exercises above the laws to inflict evil upon another§.

In the third book, Bodin enters into details which appertain to most forms of government. He treats of the senate, of its utility, and its composition. It should not, in his opinion, be invested with executive power.

In his fourth book, there is a great deal of inter-

* Cap. 8. † Lib. i. ‡ Lib. ii. § Lib. ii. cap. 4.

esting matter relative to the origin of states, their rise to power and wealth, and their decline and fall. Here their seems a great struggle in the author's mind between his theological principles and his philosophy. It would not be difficult for the critic to point out many contradictions throughout the course of the author's reasonings in this part of his subject. Indeed, the same remark may apply to almost all writers who view the science of politics through an exclusively theological medium.

In the fifth book, Bodin broaches the question, as to influence of climate upon the genius of governments. He divides the human race into three grand divisions —the eastern, the western, and the mixed class*. In this part of his subject he shows great research; but fails to establish anything decisive on this long controverted point.

In the sixth book, the author goes into the consideration of the public resources, money, &c. Then he enters into a comparison as to which kind of government is the best suited for the management of these matters; and he gives the preference to a kingly or hereditary monarchy, such as France, which he considers as a model for all other nations to follow.

Bodin went considerably beyond the notions of toleration generally current in his own day and country. He thinks the consciences of men ought to feel the rod of authority with great tenderness. Hear what he says on this point. "The mightier that a man is, the more justly and temperately he ought to behave himself towards all men, but especially towards his subjects. Wherefore, the senate and people of Basle did

* Lib. v.

wisely, who, having renounced the bishop of Rome's religion, would not, upon the sudden, thrust the monks and nuns, with the other religious persons, out of their abbeys and monasteries; but only ordered, that, as they died, they should die both for themselves and their successors, expressly forbidding any new members to be chosen in their places, so that, by that means, their colleges might, by little and little, by the death of the fellows, be extinguished. Whereby it came to pass that all the rest of the Carthusians, of their own accord, forsaked their cloisters; yet one of them all alone for a long time remained therein, quietly and without any disturbance, holding the right of his convent, being never enforced to change either his place, or habit; or old ceremonies, or religion before by him received. The like order was taken at Coire in the diet of the Grisons; wherein it was decreed, that the ministers of the reformed religion should be maintained out of the profits and revenues of the church; the religious men, nevertheless, still remaining in their cloisters and convents, they being now prohibited to choose any new person for them who died. By which means, they who possessed the new religion, and they who possessed the old, were both provided for*."

Bodin advances the opinion that all great constitutional changes in any government should be effected by gradual and slow degrees. "We ought, then," says he, "in the government of a well-ordered state and commonwealth to imitate and follow the great God of nature, who in all things proceedeth easily, and by little and little; who of a small seed causeth to grow a tree, for height and greatness right admirable,

* Book iv.

and yet for all that insensibly; and still by means conjoining the extremities of nature, as by putting the spring between winter and summer, moderating the extremities of the times and seasons, with the self-same wisdom which it useth in all other things also, and that in such sort that no violent force or course therein appeareth*."

There are, however, some dark spots in his "Republic," which contrast curiously with its general enlightened and intelligent tone. He enters elaborately into the argument to prove that, in a well-regulated state, the father should possess the right of life and death over his offspring. He seems, likewise, to have believed in witchcraft, and to have thought it just and creditable for legislators to punish it severely.

Bodin was a most profound jurisconsul. He had studied the science in all its bearings and aspects. He was an enemy to the system of Cujas; but still paid great respect to his abilities. He had a most correct view of the Roman law in all its leading points; and seems to have studied it for himself, and to have preserved his own independent tone of thinking.

Bodin's thoughts on jurisprudence are contained in a short work, entitled "Juris Universi Distributio." The manner of treating his subject is anything but satisfactory. He puts and answers the following questions. What is jurisprudence? What is its precise form? What is right? And what is the substance or matter of right? The author then sums up the whole by a theory of justice which, in fact, is scarcely intelligible. He has illustrated his ideas by a refer-

* Book 4.

ence to arithmetical numbers, and involved his matter in inextricable difficulties*.

Marc Antony Muret, was a French Jesuit, and the author of a work "On the Origin of Laws," published about 1582. The author grounds his notions of legal power and obligation on the constitution of men, and on the necessity for, and the obvious advantages derived from, a code of rules defining the limits of personal liberty and right.

"De Republica," 1590. The authorship of this work is a subject of controversy. It was written at the rebellion of the League against Henry III. of France. The treatise is systematic in arrangement, and, in many places, ably and eloquently written. The origin of society may be traced to the necessity and convenience of social rule and authority; and the author maintains that all kinds of magisterial rule must have been, in the first instance, elective. All the various forms of commonwealths have, in effect, sprung from the consent of the people, except such as are referrible to conquest. All sound governmental rules are of a compromising character; and hence we find, that when we limit the royal authority too much, it is injurious, by throwing too large a share of the democratic power into irresponsible hands; while again, nothing proves such a support of tyrannical power, as to hedge about the person of the sovereign with notions of divine right and sacredness.

In the second chapter, the author enters into the general doctrine of the right to depose political tyrants. No subject's oath of allegiance is binding unless the king abide by the laws; and this right of

* Lib. vi. cap. 6.

resistance to wicked sovereigns lies at the foundation of all the political institutions of Europe. The doctrine is likewise supported by the declarations of the church. In the third chapter, the author inquires what constitutes a tyrant? The answer is, one who despoils his subjects of their possessions, or offends public decency by an immoral life, or assails religion, or who exercises his regal authority to render his subjects heretical. In the fourth and fifth chapters, he maintains that all the forms of protestantism are worse than paganism, as they are less favourable to a virtuous life; and that Calvinism is the worst of all forms of protestant faith. The other portions of the work are full of the like invectives against the protestant community of France.

Pierre Gregoire.—"De Republica," 1597. Pierre Gregoire was a native of Toulouse, and born in 1525. He wrote a great number of works; but the above treatise is considered the most profound and learned. There is an immense body of information in the volume. The most interesting topics are on the equality of republics; the necessity of cultivating the arts and sciences, in order to reap the full benefit from social institutions; the effects of ecclesiastical authority on the state; the different species of monarchy; the influence of money on a nation; and the power and control of public opinion. All the remarks of the author are supported by numerous quotations from the ancient philosophers, as well as from the sacred writings.

Boucher.—"De Justa Henrici III. Abdicatione a Francorum Regno," 1589. This work maintains the general doctrine, that the people have an absolute

right to depose and kill all political tyrants. He was attached to the political doctrines of the league in France, and pushed them to their utmost logical consequences.

FRANCISQUE LOTIN.—"Advis Civils, contenant plusiers beaux et utils enseignemens, tant pour la vie politique, que pour les conseils, et gouvernemes des Estats et Republiques," Paris, 1584. This is an Italian production, translated into French. The work contains a number of detached observations on politics, assuming the appearance, in many cases, of axioms; and the truth of these is illustrated by examples taken from ancient and modern history. There is no system; no theoretical notions; no constitution-making. All is a fireside affair. The author compares the governing of a state, with the governing of a house. We must, in both cases, attend to many matters of detail; we must be guided by circumstances as they occur in the progress of life; and though general rules and principles are of great efficacy in both situations, yet there must needs arise many things to stand in the way of their universal application. The book, take it as a whole, is marked by good sense, and profound reflection.

"Discours Politiques sur la voye d'entrer deuëmant aux estats, et maniére de constamment s'y maintenir et gouverner," 1584. This is an anonymous publication. It treats of the general principles of government; and divides all the various kinds of civil polity into three orders; the monarchical, the aristocratical, and the democratical. The author thinks that the best form is that which is compounded of a due proportion of all the three elements.

ANTONIO PALAZZO COSENTIN.—"Discours du Gouvernment et de la Raison vraye D'Estat," 1611. This is a translation from the Italian. It contains a description of various kinds of government; points out the real causes which bring states into difficulties; shows the necessity of incorporating christianity with the state; the pernicious influence of national luxury; and maintains that a government should sedulously endeavour to frame all its public measures so as to preserve as great an equality among the citizens as possible. All these abstract positions the author strengthens by quotations from some of the most enlightened legislators of antiquity.

RENE DE LUSINGE.—"De la Naissance, Durée, et Cheute des Estats, ou sont traittees plusiers notable Questions, sur l'Establissement des Empires et Monarchies," 1588. This treatise is directed more to the consideration of what may be termed the external means of creating and supporting the power of a state, than to the disquisition of abstract principles of policy. The work is divided into three books; namely, 1st,—On the means of retaining an effective military force, and of the great importance of attending promptly and energetically to the civil business of government. 2nd,—Of the utility of religion as a political instrument, and of the means of avoiding all unnecessary causes of popular discontent; and the third on divers matters which hasten the downfal of states.

In the first chapter of the third book, on the causes of the decline and fall of states, the author's remarks are very excellent. He endeavours to show that it is always by some vicious mode of political misrule, long persevered in, that nations are precipitated to their

ruin; and that if rulers were more attentive to the true interests of their people, they would have a much longer lease of their dominions.

The author conceives that religious sentiment is indispensable to all states. It is the only security for the authority of the prince, as well as the rights of the people. All human obligation would be effaced from the minds of men, were there not a general idea of a divine being, who rules the destinies of our race. The entire current of ancient and modern history, most amply confirms the truth of this position.

PERE RIBADENEYZA.—"Traité de la Religion que doit suivre le Prince et des vertus qu'il doit avoir pour bien gouverner et conserver son etat contre la doctrine de Machiavel et des Politiques de notre tems," 1610. This work is from the pen of a Spanish Jesuit, and was translated into French by Antoine de Balingham, a native of St. Omer. In the first part of the work, the author affirms that history shows us that all states, no matter what was the particular form of their government, have found it necessary to call in the aid of religion to strengthen their hands. Without this assistance civil institutions would present but a scene of confusion and disorder.

GABRIEL NAUDE.—"Considerations sur les Coups d'Etat." The author maintains the doctrines of Machiavel, and pushes them to their greatest extent.

"Sommaire de la Felicité des Princes et Republiques," 1616, par F. D. E. F. This work contains an analysis of the ancient states and republics, and the author applies his remarks and illustrations to modern governments. His great aim is to draw lessons of wisdom from the experiences of ancient times, for the

purpose of guiding the conduct of modern statesmen and princes. The work is rare, and worth a perusal.

Doctor Richer.—"De Ecclesiastica et Politica Potestate," 1611. This work is chiefly remarkable for some particular circumstances connected with its publication. The Council of Sens assembled at Paris in 1612, under the direction of Cardinal du Perron, for the sole purpose of condemning this book as an *anonymous* book. The assembled prelates decided that the work was anonymous, though it had the name of Doctor Richer affixed to it. The merits of the work were not entered into; but the sole ground of objection was that it appeared without a name. The Council of Aix, in Provence, assembled the same year, and for the same purpose; and they did not forget the decision of their brethren at Paris as to its anonymous nature, though they assembled to condemn it upon other grounds. These grounds were, however, never stated to the assembly; but they confirmed the decision of the Parisian prelates, *that the book was published without a name.* This circumstance affords a sufficient indication of the general scope of the work, which is to place ecclesiastical power in a disadvantageous point of view.

M. A. Pheveneau. "Precepts d'Estat," 1627. This work is dedicated to the king of France, and the writer informs him that it contains such sound and wholesome truths, as a good, enlightened, and religious monarch as he was, would like to instil into the mind of his son, the heir to the crown. There is excellent advice contained in this book, if crowned heads would read it, and profit by it. But history does not show that royal pupils, in matters of politics,

have ever been very docile or apt scholars. They perish, not from the lack, but from a superfluity of advice. The author touches on almost every subject connected with the stability of a government, and the happiness and power of the people. He considers the latter as the nerves, and blood, and bones of the body politic.

"Les Politiques de Vincent Cabot," 1630. VINCENT CABOT, jurisconsul, was born at Toulouse in the sixteenth century. He applied himself particularly to jurisprudence, in the early part of his life. In his latter years he undertook an extensive work on the nature of political science generally; but he died before it was finished. His manuscripts were placed in the hands of a friend, who, after having corrected and revised them, put them to the press in their present shape. The work is divided into five books, and these again into many chapters. The author enters very fully into all the abstract principles of politics; the formation of governments; the nature and extent of sovereignty; the paramount dignity and importance of political science; of religion, its influence and offices in the state; of the appointment of magistrates; public assemblies of the people; of the abstract nature of monarchy; what are the causes of political corruption, the mutations of nations, and their rapid decline from wealth and power, to poverty and feebleness; the origin of treasons, seditions, and civil wars; of offensive and defensive wars; and of the appointment and duties of ambassadors. All these various topics are treated of with great acuteness and ability; and the writer displays a most profound knowledge of all the ancient forms of government in Greece and Rome.

Cabot's notion on the nature of the social contract, seems to be, that the power of the chief magistrate arises from the same source as the authority of a parent over his family. The two situations, he considers, are quite parallel; and this is the only key to the right solution of this knotty problem.

FRANCOIS SAUSSOVIN.—"Du governement et administration de divers Estats, Royaumes, et Republiques, tant anciennes que modernes," 1611. This work contains general observations on, and an analysis of, the governments of France, Spain, England, Germany, Poland, Portugal, Naples, Turkey, Persia, Tunis, Fezzan, Ancient Rome, the Papal Court, Athens, Sparta and Lacedemon, Venice, Genoa, Lucca, Switzerland, Nuremburgh, Regasa, Utopia, Egypt, and Ethiopia.

DE MOUCHEMBERT.—"Essais Politiques et Militaires," 1627. This is not a systematic treatise on politics, but only a collection of observations and remarks on various subjects, given under the form of *axioms*. There is a great fund of good sense observable in most of them; and the author displays considerable learning, and reading on political topics, of both an ancient and modern character. Many of the axioms are concisely and neatly expressed.

There was a small work surreptitiously printed and published in France, in 1650, called "Le Politique du Temps." There were many pirated editions of it, throughout the French provinces. The work treats of the power and authority of princes; of the several kinds of government; and of what really constitutes the liberty, and civil freedom, and independence of a nation. It is a very able and well-written performance.

MARCO-ANTONIO DE DOMINIS, wrote his "De Repub-

licâ Ecclesiastica," in 1620. The work is in three volumes folio, and, on its appearance, was immediately condemned by the theological faculty of the *Sorbonne*. The liberal and enlightened view the author took of the nature of church authority, and the manner in which he endeavoured to point out its real and beneficial connection with civil power, were the chief objections which the government of the day urged against the publication.

The following rather rare French works, may be consulted by the politician with advantage.

MICHEL PICCART, "Observations Historico-Politico, 1652; BRILLARD, La Bête á Sept têtes, 1653; DUPUY, "Traites des Droits et Libertés de l'Eglise Gallicane," 1639; CLAUDE JOLY, "Recuil des Maiximes pour l'Institution du Roi," 1652; KELLER, "Mysteria Politica," 1625.

About the middle of the seventeenth century, the foundation was laid in France of that system of philosophy, which exercised over the whole of the following century such a remarkable influence on the abstract theories and reasonings of the political writers of this country. Descartes published his treatise "On Method," and his "Principles of Philosophy," works which contained the germs of a new spirit imparted to political science, in all its multifarious aspects. They struck at the roots of all old and received opinions; looked upon man in his complicated, social, and intellectual relations, through a new medium; and laid down canons of criticism for testing what was true, in every branch in the comprehensive study of human nature. Setting out with the broad principle that there was nothing true or certain, from any previous

criterions of truth, the philosopher, began to mould human knowledge according to his own fancies; and to those who adopted his creed, the first lesson they had to learn was to *doubt*. Doubting was as necessary to a Cartesian, as common air to the support of animal life. What could not be depended upon in metaphysics, and ethics, could not be depended on in general polity; and *vice versa*. Descartes said, in substance, to the politician, as well as to the cultivators of every other science, "You can know nothing of your subject, unless you look into your own nature, analyse your own consciousness, demonstrate the validity of your own existence, *cogito, ergo sum*; and then you are placed in such a position as to know something of the secret springs and elementary principles of society. Throw aside all previously received knowledge on the matter; it must of necessity be worthless, seeing it has not been submitted to the only test which can fix its value. Look then, to the inner man; to all the subtile powers of his mind and will, and you will find the real motives of his public conduct, and be able to mould your external machinery of government in strict conformity with them." This was the declaration of the new philosophy. And we can distinctly trace its influence over the speculative thought of French authors, from the day of its promulgation to the present hour. Indeed, Descartes's views took a firm hold of the continental mind generally; but their influence in Great Britain was very limited, confined chiefly to logical and mental systems.

Le Blanc.—"Le Monarchie," 1660. This small treatise is divided into three parts; the first showing what was the probable origin of kingly power; the

second, of its almost universal prevalence; and thirdly, of the improvements of which it is susceptible. Several points of the general argument are well brought out, and the book is readable.

In 1671, BOSSUET wrote his famous "Discourse on Universal History," one of the most masterly productions of the times, in reference to many of the leading principles of political science. The author maintains that the doctrine of infallibility of the pope is unsound, and likewise that he has no right to assume the power of deposing kings. These opinions are said to have lost the bishop a cardinal's hat, as they were totally at variance with those entertained by Innocent II., in reference to the independence of the crown of France.

The eloquent BALZAC published, 1660, "Le Prince," and "Socrate Chretien," which were extensively read throughout France. The opinions and sentiments of these publications, are every way worthy of the honour and fame bestowed upon them.

AMELOT DE LA HOUSSAYE, 1680, is the author of "Political Discourses on Tacitus," in which he deduces some general principles of political science from the history of that famous Roman writer.

LENOIR wrote, in 1683, his "Recueil de Requêtes et de Factums," in which he treats at great length, and with much warmth and energy, of the rights of the people, and of the pernicious influence of theological domination. He was likewise the author of several other political works, breathing the same sentiments. He was brought before the court tribunals for his opinions, and was condemned to the galleys, where he died in 1692.

The amiable FENELON, Archbishop of Cambray, is one of the philosophical politicians of whom France feels proud. He wrote under peculiar circumstances, having been in trammels all his life; but his natural good sense, humane feelings, and sound judgment, led him to a decidedly liberal mode of thinking, both as to theoretical and practical matters of civil government. There are, however, throughout his speculations of a political cast, many contradictory opinions and sentiments, evidently the result of the intellectual bondage under which he was doomed to spend his days. When he takes up a sound and enlightened principle, he handles it like a man who is conscious of having many critical eyes directed upon him, eager to detect every little thing that could be turned to his disadvantage, with a tyrannical and corrupted court. Consequently, he falls into qualifying and compromising his opinions in every direction; so that it often becomes a matter of perplexity to detect what his real notions are as to many of the elementary principles of general polity. This is strikingly apparent in his more grave and serious essays which have for their professed object, the development of the philosophical maxims of the science of government, not as political diplomatists and intriguing princes view them; but as they should be examined and discussed in relation to the laws of nature, and the rudimental ideas of civil right and liberty.

Fenelon places the foundation of all political duties and privileges upon the basis of divine philosophy. This leads us, independent of revelation, to consider the Supreme Being as the common father of all social communities; and the several members of them as

children and brethren of the same family. It is this spiritual philosophy which induces us no more to regard ourselves as independent beings, created only for selfish ends, but as a small part of the whole which composes mankind; the public good in general is to be preferred to one's own private interests. This is the true source of all noble and heroic sentiments and virtues. Weaken or destroy this divine philosophy, and there can be no principles of a permanent union established among men.

The "Telemachus" of Fenelon, 1700, is a political romance, said to have been penned as a satire on the government of Louis XIV. It is worthy of attention, both from the patriotism of its sentiments, the elegance of its invention, and the simplicity and beauty of its language. The philosophy of the work is, that the whole world ought to be looked upon as a universal republic, and each nation only as a great family. From this elementary idea, he deduces the laws of nature and nations, which, in their aggregate character and influence, are equitable, generous, and humane. From this point of view, no country can be considered as absolutely independent of another, but that the whole of mankind are an indivisible unity or whole. Hence arise certain duties and obligations, which every country lies under, to foreign nations, and the benefit of that line of policy which leads it to cultivate a friendly intercourse and bearing towards them. He then dwells with great eloquence and force of reasoning, on the inestimable public advantages derived from the government of a prince, when he comports himself with the maxims of wisdom; when he rules by the good opinion of his subjects; and

when he removes far from him all those impure habits and modes of personal indulgence calculated to debase himself, and sap the morals of a nation. On the nature of commercial freedom, we have the following observations.

"'How is it,' said I to Narbal, 'that the Phœnicians have made themselves masters of the commerce of the whole earth, and have thus become rich at the expense of all other nations?' 'You see,' answered he, 'that the situation of Tyre is favourable to commerce. Our country has the glory of having invented the art of navigation; the Tyrians, if we may believe the traditions of the remotest antiquity, were the first masters of the ocean long before the age of Tiphys and the Argonauts, of whom Greece is so proud. The Tyrians, I say, were the first who dared to trust themselves in a frail bark to the mercy of the waves and the tempest, who fathomed the depths of the sea, who observed the constellations far from land, according to the science of the Egyptians and Babalonians; in a word, who united so many nations separated by the ocean. The Tyrians are industrious, patient, laborious, neat, sober, and economical: they are under a strict internal government; they are perfectly united; and never was a nation more constant, more sincere, more faithful, more true, or more obliging to foreigners. In these things, without farther inquiry, you find the causes which make them monarchs of the ocean, and their harbour the seat of so useful a commerce. If division and jealousy were to arise among them, if they began to indulge in luxury and idleness, did the heads of the nation despise labour and economy, were the arts no longer honoured in their town, did they fail in good

faith towards foreigners, did they change in the least particular the rules of a free commerce, did they neglect their manufactures, or cease to make the great improvements necessary to bring each kind of merchandise to perfection; you would soon behold the fall of that power which you admire.' 'But explain to me,' said I, 'the method by which I may at some period establish a similar commerce, at Ithaca;' 'Do,' he answered, 'as we do here: give a ready and favourable reception to all foreigners; let them find safety, convenience, and entire liberty in your harbours; never allow yourselves to be overcome by avarice or pride. The proper way to gain much is never to wish to gain too much, and to know how to lose at proper times. Make all foreigners love you; ever suffer somewhat from them. Fear to excite their jealousy by your pride; be faithful to the laws of commerce; let them be simple and easy; accustom your people to obey them implicitly. Punish severely fraud, and even negligence or luxury among the merchants; these things ruin commerce, by ruining the men who carry it on. Above all, never attempt to restrict commerce, in order to make it serve your own purposes. The prince should never interfere with it, lest he should restrict it; and he ought to allow his subjects who have the trouble, to enjoy all the profits, otherwise he will discourage them. He will derive sufficient advantage from the wealth which will flow into his dominions. Commerce resembles certain springs: if you attempt to change their course, they will become dry. Profit and convenience are the only things which attract foreigners to you: if you make commerce less agreeable and useful to them, they will gradually with-

draw, and return no more; because other nations, benefiting by your imprudence, will invite their visits, and thus accustom them to do without you. I must even confess that for some time the glory of Tyre has been much diminished. Oh, if you had seen it, my dear Telemachus, before the reign of Pygmalion, you would have been much more astonished. You now find here only the sad remains of a greatness which is hastening to decay. Oh, unhappy Tyre, into what hands hast thou fallen! Formerly, the ocean brought to thee tribute from all the nations of the earth. Pygmalion is in constant fear both of foreigners and his own subjects. Instead of opening his harbours, according to our ancient custom, to all the most distant nations with entire freedom, he wishes to know the number of vessels which arrive, the countries whence they come, the names of the men they carry, the trade to which they belong, the nature and prices of their merchandise, and the time of their stay here. Still worse than this, he employs fraud to surprise the merchants, and confiscate their goods. He annoys those merchants whom he thinks most opulent; he establishes new imposts on different pretexts. He himself wishes to engage in commerce, and every one fears to have any business with him. Thus trade is languishing; foreigners are gradually forgetting the road to Tyre, once so pleasant to them; and if Pygmalion do not change his conduct, our glory and our power will soon be transferred to some better nation, better governed than ours."

In the author's "Dialogues des Morts," we find much useful and political instruction, particularly for princes and rulers. He here takes his readers into

the regions of *Tartarus*, and draws the portraits of the royal characters found there, stripped of their earthly grandeur and crowns, and called to account for the vice and bloodshed of their respective reigns. The following is an example of the mode of treating his subject. It is a dialogue between Alexander and Clitus.

Clitus. Good day, great monarch. When didst thou descend into these gloomy regions?

Alexander. Ah, Clitus! withdraw; I cannot endure the sight of thee: it reproaches me with a fault.

Clitus. It is the will of Pluto that I should remain before thee, as a punishment to thee for having killed me unjustly. I am sorry for it, for I still love thee, notwithstanding the wrong which I suffered at thy hands; but I can never leave thee.

Alex. Oh! wretched companionship; always to behold a man who reminds me of a deed of which I am so much ashamed.

Clitus. I can look upon my murderer. Why canst thou not behold a man whom thou didst kill? I find that the great are more sensitive than other men: they wish to see only those who are pleased with them, who flatter, and pretend to admire them. The borders of the Styx are not the place for such feelings. Thou oughtest to have relinquished them with thy royal grandeur. Thou hast nothing to give here, and thou wilt not find any flatterers.

Alex. Alas, what a misfortune! On earth I was a god; here I am but a ghost, and I am pitilessly reproached with my faults!

Clitus. Why didst thou commit them?

Alex. When I killed thee I had drunk too much.

Clitus. A fine excuse truly for a hero and a god! He who ought to have been reasonable enough to govern the whole earth, lost all his senses by drunkenness, and reduced himself to the condition of a ferocious beast! But confess the truth. Thou was intoxicated more by false glory and anger than by wine. Thou couldst not endure my condemnation of the vanity which led thee to receive divine honours, and to forget the services which had been rendered to thee. Answer me: I no longer fear that thou wilt kill me.

Alex. Oh, cruel gods, why cannot I be revenged upon you? But alas! I cannot even take vengeance on this ghost of Clitus, who insults me so brutally.

Clitus. I perceive that thou art as irritable and violent as thou wast among the living. But no one fears thee here. For my part I pity thee.

Alex. What! the great Alexander an object of pity to so mean a fellow as Clitus! Why cannot I kill thee, or destroy myself?

Clitus. Thou canst not do either. Ghosts never die: thou art immortal. But it is not the immortality to which thou laidst claim: thou must resign thyself to being merely a ghost like me, or like the meanest of men. Thou wilt here find no more provinces to lay waste; no kings to trample upon; no palaces to burn in thy drunkenness; no ridiculous fables to relate, in order to boast thyself the son of Jupiter.

Alex. Thou treatest me as a wretch.

Clitus. No; I acknowledge thee to be a great conqueror, with sublime natural qualities, but spoilt by to great success. Does it offend thee to tell thee the truth with affection? If truth offends, return to the earth in search of flatterers.

Alex. Of what avail, then, is all my glory, if Clitus even does not spare me?

Clitus. It was thy impetuosity which tarnished thy glory among the living; dost thou wish to keep it unblemished among the dead? Thou must be modest among ghosts, who have nothing to gain or lose with thee.

Alex. But thou saidst thou lovedst me?

Clitus. Yes, I love thy person without loving thy faults.

Alex. If thou lovest me, spare me.

Clitus. Because I love thee, I will not spare thee. When thou wast so chaste in the eyes of the wife and daughter of Darius, when thou showedst so much generosity towards that vanquished prince, thou deservedst great praises: I gave them to thee. Prosperity afterwards made thee forget even the care of thy own glory. I leave thee. Adieu.

In the instructions which Fenelon imparted to the heir of the French throne, the Duke of Burgundy, he was anxious to impart to his pupil a hatred and detestation of all acts of cruelty and tyranny. We have, therefore, from these admirable "Dialogues," another lesson against despotism and licentiousness. This is a conversation between Plato and Dionysius the tyrant.

Dionysius. Good-day, Plato. Thou art just the same as thou wast when I saw thee in Sicily.

Plato. As for thee, thou hast lost the splendour which surrounded thee when on thy throne.

Dion. Thou wast but a chimerical philosopher; thy republic was only a beautiful dream.

Plato. Thy tyranny was not more substantial than my republic. It has fallen.

Dion. Thy friend Dion betrayed me.

Plato. Thou betrayedst thyself. He who makes himself hated has everything to fear.

Dion. But then how much it costs to make one's-self beloved! We must please others. Is it not better to please ourselves at the risk of being hated?

Plato. Those who make themselves hated, in order to gratify their passions, have as many enemies as they have subjects: they are never in safety. Tell me, didst thou ever sleep in tranquillity?

Dion. No; I confess it. But it was because I had not taken the lives of a sufficient number.

Plato. Ah! dost thou not perceive that the death of some drew upon thee the hatred of the rest?—that those who beheld the massacre of their neighbours expected to die in their turn, and could save themselves only by forestalling thee? It was necessary for thee either to kill every one of the citizens, or to abandon thy severe punishments, and endeavour to make thyself beloved. Those who are beloved by the people need no guards: they live among their subjects as fathers, who fear nothing in the midst of their own children.

Dion. I remember that thou didst urge all these arguments upon me, when I was on the point of renouncing tyranny, in order to become thy disciple, but a flatterer prevented me from executing my design. It must be confessed that it is very difficult to resign sovereign power.

Plato. Would it not have been better to resign it voluntarily, in order to become a philosopher, than to be disgracefully deprived of it, and compelled to gain thy bread by the trade of a schoolmaster at Corinth?

Dion. But I did not foreseo that I should be driven into exile.

Plato. Ah! How couldst thou hope to remain master in a place where thou hadst driven everybody to the necessity of ruining thee, in order to avoid thy cruelty?

Dion. I hoped that they would never dare to attack me.

Plato. When men risk more in letting you live than in attacking you, there will always be found some ready to be first with the blow. Your own guards can secure their lives only by taking yours. But tell me frankly, didst thou not lead a more pleasant life in thy poverty at Corinth than in thy splendour at Syracuse?

Dion. That is true: the schoolmaster of Corinth ate and slept tolerably well; the tyrant of Syracuse always had fears and suspicions. It was necessary to murder some one, to seize treasures, to make conquests. Pleasures were no longer pleasures: I had exhausted them and they always agitated me too violently. Tell me also, oh, philosopher, wast thou very unhappy when I caused thee to be sold?

Plato. I enjoyed in slavery the same tranquillity which thou possessedst at Corinth; but with this difference—I had the happiness of suffering for virtue, by the injustice of a tyrant, and thou wast a tyrant, deposed in disgrace from thy tyranny.

Dion. Go, I gain nothing by arguing with thee. If ever I return to the world, I will choose a private station of life, or I will make myself beloved by the people whom I govern.

The influence of Fenelon's political writings on France has been generally considered powerful, both for good and ill. A living writer of great note has

recently made the following remarks on this subject. "Fenelon, that evangelical and tender genius of the new law, had written his instructions to princes, and his 'Telemachus,' in the palace of the king, and in the cabinet of an heir to the throne. The political philosophy of christianity, that insurrection of justice in favour of the weak, had glided from the lips of Louis XIV. into the ear of his grandson. Fenelon educated another revolution in the duke of Burgundy. This the king perceived when too late, and expelled the divine seducer from his palace. But the revolutionary policy was born there; there the people read the pages of the holy archbishop. Versailles was destined to be, thanks to Louis XIV. and Fenelon, at once the palace of despotism and the cradle of the revolution*."

Fenelon was likewise the author of "Dissertatis de Auctoritate summi Pontificis." This work is intended to show that there is an essential difference between a power of *jurisdiction*, properly so called, whether direct or indirect, and a power of *direction*. The distinction is this. A power of direction is merely the right of determining, as a doctor or casuist, matters of conscience; a power rather of advice than authority. Jurisdiction, on the other hand, is comprehensive, authoritative, commanding, and absolute.

COLBERT'S "Political Testament," 1695, gained some degree of popularity in its day. The celebrated author was prime minister to Louis XIV. The first seven chapters are purely historical. In the other divisions of the work, the writer treats of the power of the papacy, and of other political affairs; but in a very

* Lamartine, "Hist. of the Girondists," vol. i. p. 14.

desultory and unphilosophical manner. He advises the king to cherish the church tenderly; but, at the same time, maintains the distinction between civil and ecclesiastical power. The last portion of the book is occupied with the discussion of the question, as to the kind of conduct a prince should display towards all the various classes of his subjects. This is the most interesting part of the publication*.

There were no publications of any note on Political Economy during the period we are now treating of. The mercantile system, established by the minister Colbert, founded on exclusive principles, prevailed throughout France till the middle of the eighteenth century. PIERRE LE PESANT, published, in 1695, his "Détail sur la France," in which commerce, and money affairs are treated of at some length, and with considerable acuteness and ability. But his views gave great umbrage to the government; chiefly on account of some discussions reflecting on the stringency of feudal rights and ecclesiastical privileges. The author was banished from the country in consequence. A short time afterwards, VAUBAN wrote his "Dixme Royale," in which he propounded a new scheme of national taxation.

In addition to the publications just noticed, of an abstract and argumentative cast, we cannot pass over the lighter productions of French genius, such as satirical works in prose and verse, without saying a word or two on their character and import. Books of this kind were more politically influential in France than in England.

* "The numerous 'Testaments Politiques' of Colbert, Mazarin, and other great ministers, were forgeries usually from the Dutch press."—Disraeli's Curiosities of Lit., vol. i., p. 148

Plato, if we remember rightly, recommends in his republic, that music should be dispensed with, from its fascinating and engrossing influence over the minds of the multitude; and there is likewise a saying, repeated from a modern author, that, provided he had the making of the songs of a nation, he cared little who had the making of its laws. Now, if there be any truth in these declarations, it will certainly apply with redoubled force to the French nation, who are of such a lively and animated temperament, and so powerfully affected by external agencies and sympathies. The popular influence of songs among this people is prodigious. It can only be adequately estimated by a personal knowledge of their habits and character, as these are displayed in places of convivial entertainment and pleasure. A comic or satirical song penetrates the innermost soul of every Frenchman; vivacious, sensitive, and volatile, with an inexhaustible fund of good humour and self-complacency, he enters into every association and feeling which the sense of the ridiculous and comic can make and inspire.

The proverb that men can be more easily ridiculed out of their principles and notions, than reasoned out of them, certainly receives additional evidence of its truth, by a reference to the French nation. Political songs of a satirical kind, have been for ages one of the regularly established instruments of controversial warfare with the government of the day; so much so, indeed, that Champfort defines the old French monarchy to be "An absolute monarchy modified by songs*." The popular songs of Blot, Calle, Panard,

* "Une monarchie absolue tempérée par des Chansons."

and Desaguires form an essential part of the political literature of France before the first revolution. The historian, Claude de Seyssel, in 1519, tells us that political songs were very common in his day. "Les Français," says he, "ont toujours en licence et liberté de parler, á leur volonté de toute sorte de gens, et même de leurs princes, non après leur mort seulement, mais encore de leur vivant, et dans leur présence."

After this period, during the glory of Richelieu, and afterwards of his wily successor, Cardinal Mazarin, the national songs of France were all powerful. They were called the fourth estate of the realm; hence the expression, "Tout fini par des Chansons." These witty and popular effusions lightened for the hour, the pressure of tyrannical power, and soothed the feelings of the people, when under the influence of public excitement. The number of songs which the satirists of the day levelled at the authority and influence of Mazarin, fill, of themselves, several volumes. When he inquired what the people thought of the new edicts? He was answered, "Monsiegneur, le Peuple Chante." "The people sing?" said he; "well, let them sing on. Singing breaks no bones. I am glad to find the people so sprightly and happy†."

Rabelais, born in Touraine, in 1483, has been considered by many writers, as a political satirist. His first work, or rather the first part of it, was published in 1532, entitled "The great and inestimable chronicles of the great and enormous giant Gartantua, containing his genealogy, the greatness and force of his body, as well as the marvellous feats of arms that he did for king Artus; as seen hereafter, newly printed."

† "Chronicles de Paris," 1685.

This work, with which there is nothing to compare in the literature of any age or country, underwent considerable enlargement and alterations, in subsequent years, at the hands of its author. To form any idea of it, the work must be read. The general impression among literary men, especially on the continent, has been ever since the book first appeared, that it was a hostile attack upon the political and ecclesiastical polity of France and other countries. Hence the various prosecutions of the author, and the burnings of his book. Motteux and other authors, conceive the *dramatis personæ* of the performance to be, Louis XII., Francis I., Henry II., Cardinal Châtillon, the Cardinal d'Amboise, &c., represented under the names, Grangousier, Gargantua, Pantagruel, Friar John, Panurge, &c. On the other hand there have been some English critics, who have entertained the opinion that the satire of Rabelais is levelled entirely at the world at large, and has little or no allusion to the political and religious institutions and manners of his age and country.

D'Alain wrote his "Dialogues Satyriques, pour corriger les Mœurs des Francois," in 1489. The author was notary and secretary to Charles VI. The dialogues touch but slightly on the great public questions of legislation; but they were, nevertheless, of some political import in their day.

Louis d'Orleans, an advocate in the parliament of Paris, was the author of "Expostulatio," and the "Banquet du Comte d'Aréte," 1593-4. These productions were directed against the government of Henry IV., and are of the most severe and caustic kind. He attacks all the leading institutions of the country, and endeavours to impress the public with

the belief, that all is corruption, selfishness, tyranny, and oppression.

Boileau's satirical productions occupy a conspicuous place in the history of French literature. He waged a constant but a light and skirmishing warfare with the scholastics of the day; and even the court often smarted severely under the pungency of his pen. His political effusions will be found in the first and second volumes of his works.

The "Satire Menippée" appeared in 1594, and created a lively sensation as a political squib. Its grand aim was to ridicule the proceedings and doctrines of the *League*; the members of which were then all powerful in Paris. Its authorship is ascribed to the joint pens of Leroy, Posserat, Pithou, and Rapin. When this work first made its appearance it was considered a *chef d'œuvre* (four editions having been sold in three weeks), and it is certain that time has not diminished its reputation and value. It is the most curious and useful book extant, for a thorough insight into the true spirit and secret spring of the famous League; and is written in a style of delicate and poignant raillery, by a junto of the choicest wits of the time. Rapin says, that their satire surpasses every work of the kind produced for centuries. Voltaire is of the same opinion.

The satirical works in France, directed expressly against the Jesuits, are exceedingly numerous, and generally very severe and abusive. Stephen Pasquier, a native of Paris, was an active enemy against this religious order. He published his "Exhortations aux Princes," 1601; a work of considerable merit. But the publication which gave such mortal umbrage to

the disciples of Loyola, was his "Catechism of the Jesuits;" in which he denounced the fraternity in language the most bitter and reproachful. All their casuistical principles, their ambitious aspirations after absolute power, their duplicity, and their want of real patriotism and love of country, are dwelt upon by Pasquier with inimitable effect and power of invective. The Jesuits, however, showed themselves as great adepts, if not at wit, at least in abuse, as their mortal enemy. About a year after the "Catechism" appeared, Father La Font attacked the satirist. "Pasquier raves," says he, "until some one of our company, or some other individual, for the public good, makes a collection of his ignorance, ravings, stupidities, malignities, and heresies, for to raise him a tomb where he may be coffined alive; whither the carrion-crows and the vultures may come from a hundred leagues off, attracted by the smell of his carcase, which men will not be able to approach nearer than a hundred steps without stopping their noses on account of the stench —where briars and nettles grow—where vipers and basilisks nestle—where the screech-owl and the bittern hoot—in order that, by such a monument, those who live at present, and those who shall live in future ages, may learn that the Jesuits have had him for a notable persecutor, calumniator, liar, and mortal enemy of virtue and good people; and that all calumniators may learn not to scandalise, by their defamatory writing, the holy Church of God*."

Nearly at the same time this attack on Pasquier was made, Father Richeome, sent forth his famous tract, called "A Hunt after the Fox Pasquin," published

* "Lettres de Pasquier," x. 5.

under the assumed name of *Felix de la Grace.* The language of this jesuitical effusion is, however, so virulent and offensive, that we must be excused from giving a translation of any part of it. Here is an extract from the work: "Pasquier est un porte-panier, un maraut de Paris, petit galant, boufon, plaisanteur, petit compagnon, vendeur de sonnettes, simple ragage, qui ne merite pas d'être le valeton des laquais, belître, coquin qui rotte, pette, et rend sa gorge; fort suspect d'hérésie, ou bien hérétique, ou bien pire; un sale et vilain satyre, un archi-maître sot, par nature, par bequare, par be-mol, sot à la plus haute gamme, sot à triple semelle, sot à double teinture, et teint en cramoisi, sot en toutes sortes de sottises, un grate-papier, un babillard, une grenouille du palais, un clabout de cohue, un soupirail d'enfer, un vieux renard, un insigne hypocrite, renard velu, renard chenu, renard grison, renard puant, et qui compisse tout de sa puante u——e. Fier-à-bras, trompette d'enfer, corbeau du palais, hibou de quelque infernale contrée . . . . Catholique de bouche, hérétique de bourse, déiste, et peu s'en faut athéiste de cœur . . . O! que si de toutes les têtes hérétiques ne restait que la sienne, qu'elle serait bientôt coupée! Asne qui chante victoire, et comme un baudet qui pensant avoir atteint son bran, sautille et brait avec son bast, paniers, et clitelles," &c.—*La Chase du Renard Pasquin, decouvert et pris en sa tannière, du libelle diffamatoire, faux, marqué le Catéchisme des Jésuites, par le Sieur Félix de la Grâce.* Villefranche, 8vo. 1603.

Cornelius Agrippa was called the Diogenes of his day. He pourtrayed the gentlemen of the French court in no very flattering terms. The following un-

translatable epithets are a specimen of his pen: "Ils sont brigands, enfonceurs de portes, ravisseurs, meurtriers, larrons, sacrilèges, batteurs de pavé, putiers, maquereaux, bordeliers, adultères, traistres, concussionaires, jouers, blasphemateurs, empoissonneurs, parricides, boute-feux, pirates, tyrans et semblables qualités," &c.

Alain Chartier was a noted and pungent satirist of the political principles and follies of the court. It is said he was kissed, as he slept in a chair, by Margaret of Scotland, by way of tribute to his "eloquent lips, which had said so many witty things." The French nobility, who had then all political power in their hands, suffered severely from the pen of Chartier. He says, in one place, "The young lords about court are nurtured in luxuries and dissipation. As soon as they are born, that is, as soon as they learn to speak, they are in the school of gluttony and bad language. Their parents or guardians adore them in the cradle, and train them to forget themselves and every one else. * * * As if they were born only to eat, and drink, and curse, and the people created for the sole purpose of honouring them. Nay, more; for this foolish talk runs now-a-days among the courtiers, that a gentleman ought not to know letters at all. And they hold it a reproach to gentility to be able to read and write well. Alas! what a greater folly can there be, or what more dangerous error to the state, than the making public such opinions and sentiments."

Pierre Petit was one of the most objectionable of the French moral and political satirists of his day. He was severely punished for the publication of his

"Chansons," having been, though only a youth, put to death about the year 1650.

"Le Poëte sans Fard," 1696, by GACON, is a curious collection of satirical pieces. The work, in two volumes, created a great sensation on its first appearance; but the public authorities soon pounced upon it, and its author was sent to prison.

The following works are interesting:—DURANT'S "Libelle contre le Roi, et sur les affaires du Temps;" "L'Esprit du Pape Clement XIV.;" and GARNO'S "Journal," 1653.

THEPOHILE published at Rouen, 1660, "La Parnasse des Poëts Satyriques." This is a very curious work. It was ordered by the French government to be committed to the flames; and the author's effigy along with it. He did not, however, altogether escape punishment; for the parliament of Paris afterwards seized him, and sentenced him to banishment.

CYRONO BERGERAC was a satirical writer of some note. His "Voyages Imaginaires," are said to have furnished Swift with some hints for his *Gulliver's Travels.*

EUST. NOBLE published his satirical production against the natives of Holland, in his "Dialogue d'Esope et de Mercurie," 1689. The work was publicly burned at Amsterdam. The author was Attorney-general to the parliament of Metz. The satirical production, "L'Esprit de Gerson," is likewise attributed to the pen of Noble.

There are few publications in France, at this period, to which mankind owe deeper obligations, than to the "Provincial Letters" of PASCAL. The first collected form of these epistles, was published in 1657, under

the title of "Lettres Ecrites par Louis de Montalte, á un provincial de ses amis, et oux R.R.P.P. Jesuites, sur la Morale et la Politique de ces Pères."

These celebrated effusions took their rise chiefly from religious disputes; but they had a direct reference to the entire moral and political philosophy, adopted by the jesuits. Of the nature of this philosophy, we shall speak afterwards; but, in the meanwhile, we shall be constrained to make some general allusions to it, that our observations on these productions may be fully understood.

These letters sprung from the institution of Port-Royal, near to Paris—a place rendered famous throughout the world in the history of literature, religion, philosophy, and even of politics. The most distinguished members of this society were, St. Cyran, Arnauld, D'Audilly, Nicole, Le Maistre, Lacy, Fontaine, and Pascal. The circumstances which gave birth to these letters were briefly these. A Dr. Jansens, bishop of Ypres, wrote a work which was not published till after his death, entitled "Augustinus;" a sort of epitome or digest of the opinions of St. Augustine, on the doctrine of grace. This work gave rise to the Roman catholic sect, called the *Jansenists*. It was condemned by the Sorbonne, and the jesuits generally. Hence the deadly enmity which sprung up between the contending parties. Ecclesiastical proceedings were taken by the pope against the Port-Royal. St. Cyran, its abbé, was sent to prison by Cardinal Richelieu, where he was confined five years, and died a few months after his release. Anthony Arnauld was the next victim; a man of singular talent and indomitable courage. In consulting with his

friends, Nicole, Pascal, and others, as to his defence, it was resolved that Arnauld should undertake a general vindication of himself and the institution. This was done; but it did not seem to be relished by his friends so heartily as he anticipated. He, consequently, withdrew the document; and, addressing Pascal, said, "You, who are young, why cannot *you* produce something?" The appeal was responded to; Pascal retired to his room, and, in a few hours, produced the sketch of the first of these "Provincial Letters;" on seeing which, Arnauld exclaimed, "That is excellent! that will go down; we must have it printed immediately."

The first letter appeared on the 13th of January, 1656; and the remaining ones, eighteen in number, at irregular intervals, during fifteen months. They were published in separate sheets, of a quarto size; and most all of them were comprised within eight pages. They went under the name, at first, of the "Little Letters;" and were published anonymously, under the fictitious signature of Louis de Montalte. The most profound secrecy as to their authorship was observed; and it was not till Pascal was on his deathbed that he was known to be the writer of them. We have been subsequently informed that the author took remarkable pains in writing all the letters save the first. His friend Nicole, to whom they were occasionally submitted for correction and enlargement, says that Pascal "was often twenty whole days on a single letter; and some of them he recommenced seven or eight times before bringing them to their present state of perfection. He wrote over the last letter no less than thirteen times*."

* "Hist. des Provinciales."

Nothing had hitherto appeared in Europe equal to the interest excited in the public mind by the publication of these letters. They were circulated in countless thousands throughout France. The Society of Jesuits were filled with alarm and consternation. As everybody read the "Little Letters," a jesuit became an object of universal derision and contempt. "The persecution," says one writer, "which the jesuits suffer from the buffooneries of Port-Royal, is perfectly intolerable. The wheel and the gibbet are nothing to it; it can only be compared to the torture inflicted on the ancient martyrs, who were first rubbed over with honey, and then left to be stung to death by wasps and wild bees. Their tyrants have subjected them to empoisoned raillery, and the world leaves them unpitied to suffer a sweet death, more cruel in its sweetness than the bitterest punishment*." The style and treatment of the subjects were so popular, that they were level to the lowest capacity. "I conceived it," says Pascal, "my duty to write so that my letters might be read by women, and people in general, that they might know the danger of all those maxims and propositions, which were then spread abroad, and admitted with so little hesitation."

The English political reader will certainly experience something like disappointment on reading these far-famed "Letters," on finding so little in them which bears directly upon the general science of civil polity. Abstract principles of government, and the papal dogma of absolute supremacy, are but seldom hinted at, and seem to have been topics which the sensitive mind of the author, considering himself a member of

* Father Daniel.

the catholic church, shrunk from investigating. But we must not test him by these apparent omissions. The great merit of the "Letters" lay—and indeed lies at this hour—in their attack upon the broad principle of infallibility; upon the hollowness of those casuistical reasonings, commonly adopted by theological writers, for justifying political measures of a questionable and pernicious tendency; and, above all, upon that governmental theory which is adopted and advocated by the Society of Jesuits in every country where they can gain a footing. These are the several points of attack which made these writings popular, and considered so politically important to every well-regulated community in Christendom.

The French Theatre was an organ of political expression. It was established about the year 1400; but its representations, for a full century and a half, consisted almost entirely of religious mysteries. In the progress of general literature, political opinions were gradually introduced to stage audiences, who seemed to have relished them keenly. In 1552, the theatre underwent a change, chiefly through the instrumentality of Jodelle. Historical events were more generally dramatised, and a wider range for political feelings was opened up to the play-going portion of the nation.

There were a great many very curious and interesting caricatures published in Paris during the greater part of the seventeenth century. The chief of these were descriptive of national hatreds and animosities, occasioned by the changeable positions of different countries by political circumstances. The *badauds* of Paris amused themselves with representations of the

Spaniard taking an emetic, to make him disgorge all the cities which his arms had taken. Seven or eight Spaniards are depicted seated round a large turnip, with their frizzled mustachios, their hats *en pot-a-beurre*; their long rapiers, with their pummels down to their feet, and their points up to their shoulders; ruffs stiffened by many rows, and pieces of garlick stuck in their girdles. The Dutch were exhibited in as great variety as the uniformity of frogs would allow." There were likewise many caricatures ridiculing the English, the Austrians, and the Germans. There were a great number done on wood and circulated throughout France by the protestants, representing the Romish faith in every conceivable fantastic shape. They excited great attention at the time of their publication. There are private collections of these satirical publications, but only to be found here and there throughout France.

About the year 1625, newspapers were established in Paris. The first speculator in this line, was one Renaudot, a physician, who found it favourable to his professional purposes to tell his patients the news of the day. His scheme succeeded; and he obtained a government privilege for publishing news in 1632. The journals were not, however, of any political moment, till a considerable period after the close of the century. "Le Mercurie Francois," was published in 1648, in twenty-five volumes*.

* See Note C, at the end of the volume.

CHAPTER IV.

POLITICAL LITERATURE OF ITALY, FROM THE YEAR 1400 TILL 1700.

THE reform writings in Germany, which appeared after the movements of Luther and Zuinglius, soon found their way into Italy, and the political opinions they contained, mixed as they were with religious matters, began to make an impression even under the very walls of Rome itself. Protestant churches were formed in Naples, in Ferrara, in Mutina, in Mantua, and in Venice. These religious bodies carried with them a certain portion of the liberal and enlightened political principles of the Reformation, and induced writers and thinkers to study the nature of civil polity, and government authority and power*.

The revival of letters in Italy, in the fifteenth century, naturally awakened its more thoughtful inhabitants to its social and political institutions, in bringing before their minds, in all the different republican cities and territories of the country, the many brilliant events and exploits recorded of the Grecian republics. There were, however, many important differences be-

* Gorde's "Specimen Italiæ Reformatæ."

tween the public mind of Greece, and the modern Italian intellect. In the former, the ordinary feeling of the people, in the appreciation of political truth, was under the direct influence of the vague and fabulous notions of pagan theology, and regulated in a sphere where the hopes and duties of citizens were not supported by any solid or elevating conceptions of man's nature and destiny. In the latter case, we find on the revival of letters, that the great truths of revealed theology were every way recognised, and the political institutions of Europe had been for ages moulded in conformity with its spirit and doctrines, considered as a political code. This circumstance alone made an important difference in this modern or renewed contemplation of Grecian philosophy. It came in direct contact with long and firmly established systems of polity, founded, in a great measure, on dogmas foreign to its spirit, and antagonistic to its tendency. The kingly power of Greece was a very different thing from the Roman hierarchy, and the democracies of the Italian cities from the democracies of Sparta or Athens. The condition of European society did not allow the ancient political tenets to be estimated solely on their intrinsic and abstract merits. The consequence was, that when the Grecian politics had to be again developed to altogether different audiences, and tried by altogether different tests, they were submitted to a rigid and varied interpretation; and they only gained a conditional approval, and were assigned a subordinate position in the human understanding, to the christian element of modern civilisation and progress.

This state of things led the Italian philosophers, at

the revival of learning, to view the Grecian system of polity through variable and often opposite mediums. Those who were inimical to the papal power, both temporal and spiritual, as it was then administered, aimed at strengthening its hands, by descanting on the superiority of the christian principle; while, on the other hand, the zealous supporters of the papacy, with all its anomalies and corruptions, made light of the newly imported Grecian knowledge, and estimated its value at a low figure.

But, besides the theological element acting in great vigour in the Italian states, there were other social and material considerations which influenced, at this period, the minds of the commentators on Grecian political philosophy, and gave a peculiar tincture to many of their speculations and decisions as to its general character and merits. There were novel and powerful principles coming into full play on the public mind of Europe. The gradual decline of feudal authority, the abolition of slavery, the enfranchisement of cities, the creation of municipal institutions, the increasing wealth of commercial towns, and the activity, public spirit, intellectual culture, and independent thought;—all these conspired to create and foster a desire for change; they presented themselves as vital elements to guide the philosophic judgment as to the importance and merits of all ancient systems of legislation. Politicians came to the study of the old codes of government, with such a varied and enlarged stock of scientific materials, that their individual opinions, on the respective systems of the Grecian sages, could not be otherwise than variable and conflicting. And this was actually the result. It arose from this pecu-

liar state of public feeling and progress, as to the great principles of personal freedom and political right.

GEMISTUS PLETHO, 1440, was an enthusiastic admirer of the Platonic philosophy, and a zealous opponent of the Aristotelian system. In his three books on "Legislation and Laws," he endeavours to embody all he thought useful in the views of his master on these subjects; but, notwithstanding Pletho's antipathy to Aristotle, he borrowed a great deal from him in those parts of the Grecian's works where the general foundation of legislative power, and the various physical agents that modify laws, are discussed. The political ideas of Pletho, on the whole, are enlightened, and fully maintain his reputation as an able and learned man.

MARCILIUS FACINUS, 1480, was of the same philosophical school as Pletho, and equally enamoured with the Platonic notions of general government. The opinions of Facinus on this subject will be found in his letter "On Law and Justice," which contains a very concise epitome of the notions of the leading Greek philosophers on these points.

LAURENTIUS VALLA was a distinguished writer, and his sentiments on political subjects are of the most enlightened and liberal character. His love of civil liberty exposed him to the despotism of his day, and he was condemned to the flames, but was saved by the protection of Alphonsus V. of Arragon. Laurentius, about 1450, attacked the Church of Rome, in reference to the donation of Constantine. By many writers, he has been considered as one of the precursors of the Reformation.

Donatus Acciaioli, 1490, who studied philosophy under the celebrated teacher John Argyropolus, wrote a commentary on the politics of Aristotle, in which he examines with great care the leading principles of the Grecian commonwealths. Acciaioli throws little or no additional light, however, on the general subject of legislation.

Goldastus' work, "Monarchia Sacri Romani Imperii," is an important one in a historical point of view; inasmuch as it treats of a number of writings, from Gregory VII. downwards, professedly defending the rights of sovereigns in opposition to the pope's temporal supremacy. This work throws scarcely any light on the essential principles of the controversy; but it shows the nature of it, and under what circumstances, at particular periods of history, it was carried on.

Nicholas Machiavel. — "The Prince;" "Discourses on the first ten Books of Livy," 1510. The most important political writer of this period was Machiavel, whose "Prince" has, subsequently, been the subject of lengthened discussion. No small degree of haziness hangs over it, both as to its merits, and the precise motives of the author. Many have considered it only as a satire upon bad government; while others again, and especially the critics of modern times, have given Machiavel credit for sincerity of purpose, but think his object was to curry favour in certain political quarters, with a view to rescue himself from the state of pecuniary embarrassment in which he was then placed. But whatever may have been his motives, certain it is that the work is a splendid one in point of genius. There is a depth of thought and a facility of

illustration which cannot be found in any political writer of his own day. He must have had a most accurate knowledge of the art of government, *as an art*; as well as an intimate acquaintance with all the speculative theories of ancient times. Everything displays the hand of a master. There is nothing too comprehensive for the grasp of his mind, nor too intricate for his practical skill to unravel. The political principles on which the "Prince" is based, are expediency in its worst and most revolting forms. Stability of government is the grand object to be attained by the legislator. No matter about the means; power must be triumphant. Good faith, justice, rectitude of intention, religion, and morality, should be apparent instruments in the hands of a politician; but all or any of these may be dispensed with on particular public exigences*.

The first part of the "Prince" is taken up with a discussion on the different kinds of governments and principalities. Throughout these discussions there may be found some very shrewd and profound remarks upon the general principles of legislation; but there are also many observations which will produce an unfavourable impression upon the minds of the generality of readers.

On the use and treatment of Colonies he has the following remarks:—"And it is to be observed that men are either to be flattered and indulged, or utterly destroyed; because for small offences they do usually revenge themselves, but for great ones they cannot; so that injury is to be done in such a manner as not to

* Chaps. 16 & 18.

fear any revenge. * * It is very obvious, and no more than natural, for princes to desire to extend their dominion, and when they attempt nothing but what they are able to achieve, they are applauded, at least not upbraided thereby; but when they are unable to compass it, and yet will do nothing, then they are condemned, and, indeed, not unworthily."

The general principle which Machiavel draws from his remarks on principalities is, "*That whosoever is the occasion of another's advancement, is the cause of his own diminution*;" because that advancement is founded either upon the conduct or power of the donor; either of which becomes suspicious at length to the person preferred."

In treating of those princes who have arrived at power and dominion by improper and unjustifiable means, the author observes, "That he who usurps the government of any state, is to execute and put in practice all the cruelties which he thinks material, *at once*, that he may have no occasion to renew them after; but that, by his discontinuance, he may mollify the people, and by his benefits bring them over to his side."

Machiavel's notion of the nature of church power and property is of the most absolute description. But this opinion is nothing more than what might have been expected from him, considering the times and circumstances under which he lived. He says, "There remains nothing of this nature to be discoursed of; but of ecclesiastical principalities, which the greatest difficulty is to get into possession; because they are gained either by fortune or virtue, but kept without either, being supported by ancient statutes universally re-

ceived in the christian church, which are of such power and authority, they do keep their prince in his dignity, let his conversation and conduct be what it will. These are the only persons who have lands and do not defend them, subjects and do not govern them; and yet their lands are not taken from them though they never defend them, nor their subjects dissatisfied, though they never regard them; so that these principalities are the happiest and most secure in the world; but, being managed by a supernatural power above the wisdom and contrivance of man, I shall speak no more of them, for being set up and continued by God himself, it would be great presumption in any man who should undertake to dispute them."

In the "Prince" we find the following sentiments, among others of a like stamp. "It has been sometimes asked, whether it is better to be loved than feared; to which I answer, that one should wish to be both; but, as this is a hard matter to accomplish, I think, if it is necessary to make a choice, that it is safer to be feared than loved. For it may truly be affirmed of mankind in general, that they are ungrateful, fickle, timid, dissembling, and self-interested; so long as you can serve them, they are entirely devoted to you; but in the day of need they turn their back upon you. The prince who relies upon professions, courts his own destruction. * * * Men are generally more inclined to submit to him who makes himself dreaded than to one who merely strives to be beloved. * * * When a prince is at the head of his army, and has under his command a multitude of soldiers, he should make little account of being esteemed cruel."

There are some curious, and sometimes valuable observations in the "Prince," on the obligation of kings to keep all their public promises to their subjects; and to avoid the very appearance of anything like bad faith and insincerity. The author's remarks are particulary just and forcible in that portion of the treatise which points out the striking influence which the moral conduct of a prince exercises over the morality of a nation. He inculcates the necessity of all rulers keeping the maxims of morality and prudence perpetually before their eyes.

The "Discourses" of Machiavel upon the first ten books of Livy, are very excellent, considered as literary productions. They are divided into three books, and 143 chapters. His main purpose is, to show how a republic may be supported, and what are the general external and internal agencies which threaten its dismemberment. There is a warm love of freedom breathing throughout the work. Filipo Nerli tells us, in his "Commentaries," that Machiavel was induced to publish these "Discourses," and likewise the "Art of War," by a number of young men who were in the habit of cultivating his friendship in his garden at Florence, and who had imbibed extreme republican principles from the writings of the Grecian philosophers. His chief aim in the seven books of the "Art of War," is to point out to his countrymen how they would best be able to effect their political freedom. This was not to be accomplished by mercenary troops, but by the judicious organisation of an infantry militia. Machiavel in his twelfth, thirteenth, and fourteenth chapters, raises his voice against the employment of mercenary soldiers. He points out, most

faithfully, the disastrous consequences which have generally followed from their use. A national militia is the only military force a nation should employ, if it wishes to preserve its civil and political liberties unimpaired.

Both these treatises, considered as the developments of political theories, are defective in a most essential particular. The author reasons from one state of things to another, of an entirely different character. He attempts to apply the political and military system of ancient Rome, to the Italian kingdoms and principalities of his own day. Nothing could be more fallacious in practice.

Machiavel published a work, 1519, upon a reformation of the state of Florence, in which he recommends to the reigning pontiff, Leo X., the restoration of the republican form of government to this city.

The political writings of Machiavel have engaged the learned of every European country, for more than two centuries, in a controversy as to his own precise opinions, and what were his intentions in giving them to the world. The judgments of critics on these points are very various and conflicting. Some say that Machiavel plainly intended to instruct tyrants in the arts of cruelty and oppression. We believe this opinion originated with Abrosio Catarino, and other Italian writers of the church, who uniformly denounced the writings of Machiavel, and considered him a gross perverter of social and political morality. In modern times we have Peter Bayle and Frederic the Great, who wrote a work entitled "Anti-Mechiavelli," expressing the same opinions. Other critics again, look upon his

works as severe satires upon bad princes and governments. But this notion is held to be untenable from the grave and serious tone in which the "Prince" is written, and from the total absence of anything like a satirical vein of thought. Some steer a middle course, and consider the politics of the author as containing many valuable and profound maxims for the general guidance of all princes and rulers, but nevertheless infected with that licentious tone of morals so characteristic of the times in which he lived. This theory is again renounced by those who look at the well-weighed and thoroughly understood manner in which the principles of the writer is laid down. He could not have been the dupe of any such corruption of the times as is here supposed. A fourth class of critics say that Machiavel's politics were the offspring of pure scientific curiosity and illustration; that he discussed the questions as matters of abstract science, without considering in what relation they stood to other questions of moral obligation and rectitude. This we think the most untenable of all the theories we have noticed—being at once the most derogatory to both the author's head and heart.

Albericus Gentilis says, "Machiavel, a warm panegyrist and keen asserter of democracy, born, educated, promoted under a republican government, was in the highest degree hostile to tyranny. The scope of his work, accordingly, is not to instruct tyrants; but, on the contrary, by disclosing their secrets to their oppressed subjects, to expose them to public view, stripped of all their trappings." He afterwards adds, that "Machiavel's real design was, under the mask of giving lessons to sovereigns, to open the eyes

of the people; and that he assumed this mask in the hope of thereby securing a freer circulation to its doctrines."

Sismondi, in his "Literature of the South of Europe," says, "The real object of Machiavel cannot have been to confirm upon the throne a tyrant whom he detested, and against whom he had already conspired; nor is it more probable that he had a design to expose to the people the maxims of tyranny, in order to render them odious. Universal experience made them at that time sufficiently known to all Italy; and the infernal policy which Machiavel reduced to principles, was, in the sixteenth century, practised by every government. There is rather, in his manner of treating it, a universal bitterness against mankind; a contempt of the whole human race, which makes him address them in the language to which they had debased themselves. He speaks to the interests of men, and to their selfish calculations, as if he thought it useless to appeal to their enthusiasm or to their moral feelings."

The reader will do well to peruse the *apologetical* letter of Machiavel, sent to his friend Zenobius, in which he undertakes to clear himself of the charges brought against him, as to his favouring democracy, and inculcating opinions inimical to the happiness and judicious government of states*.

Uberto Foglietta.—"Della Republica di Genova," 1559. This is a work on the republican government of Genoa, which at the time of its publication attracted great attention, and caused the author to be banished from the city, and to have all his property confiscated.

* See "Harleian Miscellany," vol. i. p. 55.

The object of the publication is to show the manifold and glaring abuses of political power exercised by the nobles in this republican city, and to insist on a more democratic distribution of civil and political influence among the mass of the citizens. Contemporary with this author was BARTHOLOMEW CAVALCANTI, a Florentine noble, who wrote his "Best Forms of Republics, Ancient and Modern," in 1566. This is considered an able performance, and has gone through many editions. He borrows several of his principles and illustrations from the political works of Aristotle. We may here notice, in passing, the "Breve Institutione de l'Ottima Republica," 1578, of DENORES. It consists of a general dissertation on the nature of republican constitutions, considered more immediately in relation with the leading principles of morality, and intellectual cultivation.

The abstract speculations on morals and metaphysics, so zealously cultivated in Italy, had, of themselves, a very powerful effect in rousing the thinking mind of the people to the general principles of political science. Their intellects were strengthened for discussing questions, removed from the ordinary affairs of life. There was an abundance of materials in every direction for political examination. Their country was divided into many distinct republics or commonwealths, displaying a great diversity of legislative principles, commercial policy, and municipal institutions. These were the visible models by which political theories could be illustrated and tested. Many of the speculative spirits of this age of Italian thinking directed their inquiries into the nature of societies, and composed works on several forms of government, which their own country

brought immediately before their notice. Fired by the genius of ancient Greece, and the principles of her philosophy, they essayed to throw great light on the entire science of politics, from their newly acquired knowledge, and their own national resources of historical facts. Though their disquisitions on governmental relations were necessarily circumscribed, they were yet interesting; and exercised no small degree of influence on the general mind of the age.

In the sixteenth century there was an academy formed in Venice for the especial cultivation of political knowledge; and chiefly through the means of instituting comparisons among the four great Italian republics. Morosini, Sabellico, Davantino, and the Cardinal Contarini, entered into a minute analysis of the Venetian constitution; pointing out all its peculiarities, excellencies, and defects. Giannotti executed the same task in reference to the government of Florence. Foglietta treated of Genoa. Erizzo aimed at a more comprehensive and general treatment of political science, by pointing, with considerable clearness and ability, to these universal principles of legislation, which must, in every case, be reduced to practice in all forms of society. Cavalcanti, in his "Discourse on Republics," gives a general summary of the opinions of Plato, Aristotle, and Polybius on this topic. Strozzi attempted to supply the ninth and tenth books of Aristotle's "Politics."

In 1504, the "Politics" of Aristotle were translated by Leonardo Aretino.

Cardinal Robert Bellarmin is one of the most prominent personages connected with the philosophical literature of papal authority. He was a native of

Tuscany, and born in 1542. He belonged to the order of Jesuits. The great literary and political work of his life-time is, "A Body of Controversy," written in Latin, with great perspicuity of language, and methodical arrangement. To give anything like an outline of this famous treatise is impossible in a work like the present. Suffice it to say, that he displays the most profound scriptural learning, and the most thorough acquaintance with all the doctrines and usages of the church, from the earliest times of her history to his own day. The practice he follows in the illustration and development of his opinions is, not to place them upon purely abstract grounds, but to treat of them in reference to the known practice and sentiments of the church, as these are made known to us from historical authorities of unquestionable credit. This mode of warfare has always been more or less perplexing to his antagonists of all denominations; for his general principles being hemmed around with an authority, which all christians more or less are bound to acknowledge and respect—the authority of the church herself—all his enemies came to the contest, fettered by partial admissions of the truth of his statements and views. And it speaks not a little for both the ability and impartiality of Bellarmin, that his general doctrines met with the approbation of neither of the two great parties of Christendom. His maxims on the right of the popes to rule over and depose princes, caused his work to be condemned at Paris; while, on the other hand, the Court of Rome was so dissatisfied at his short-comings on papal authority, and particularly from his making that authority derivative, and not primary, that Sixtus V. placed the

work of Bellarmin among the prohibited books of the kingdom. It speaks no small things for his ability as a writer, that two centuries and a half have now nearly run their course since his book first made its appearance; and it is, at this hour, by far the most able and candid defence of the Roman hierarchy yet in existence. He left little or nothing for others to do after him. The best edition of his works is that of Prague, in four volumes folio.

Bellarmin's theory of papal political authority, though one which Rome at that time required, was, nevertheless, not less effective for the practical purposes of the Holy See. Bellarmin conceived that the pope's ecclesiastical power was *immediate* and *direct*; but his political authority was only *mediate* and *indirect*. This distinction gave rise to a good deal of refined, but unsatisfactory, reasoning and discussion. The great point to settle in the controversy was, whether the *indirect* authority which the pope claimed the right to exercise over states and kingdoms, was a supreme and final one; for if this were affirmed, then the distinction amounted to nothing. The power of the popedom was as great and absolute with the indirect or mediate, as with the *immediate* or *direct*.

This view of Bellarmin's doctrine is scarcely in unison with his unqualified declaration that "The language of the church, *i. e.* of the council or of the pope, when speaking from his chair, is not the language of man, *i. e.* language liable to error, but rather the language of God*."

* "Verbum ecclesiæ, *i. e.* concilii vel pontificis docentis ex cathedra non est verbum hominis, *i. e.* verbum errari obnoxium, sed aliquo modo verbum Deo, *i. e.* prolatum assistente et gubernate Spiritu Sancto."—*De verbo Dei*, iii. 10.

On the foundations on which the liberties of mankind rest, the cardinal is by no means to be classed with writers of a despotic cast. He maintains that the secular or civil power of every state is purely the institution of man. The power rests with the people, unless they bestow it upon a prince or a king. This power is immediately in the entire body of the nation, as in the subject of it; for this power or right is in the divine law, though this divine law has not conferred it on any particular man, or class of men. * * * When the positive law is removed, there is no reason discoverable why amongst the mass of the people, who are equal, one rather than another should bear rule over the rest. Power is transferred or imparted to one man, or to more, by the same law of nature; for the commonwealth, in its aggregate character, cannot of itself, exercise this power; but is by necessity of the constitution of things, obliged to bestow it on some one man, or set of men. * * * It depends entirely on the consent of the multitude to ordain over themselves a king, or consul, or other magistrates; and if there be a lawful cause, the mass of a nation have the right and power to change the kind of government from an aristocratic to a democratic stamp. And the general reason for all this, Bellarmine stated to be, that God hath given or ordained power, which is evident from the scriptures; but the deity has given it to no particular person, because by nature all men are equal; therefore he has given power into the hands of the people at large.

Charles Sigonius was a learned Italian politician, born at Modena, in 1524. His "De Republica Hebræorum," "De Republica Atheniensium," and "De

Regno Italiæ," are all works of a profound and philophical cast. A little after this we have GALGAGNINI's "Politics of Aristotle," 1544, wherein he analyses the political principles of the Grecian philosopher, and shows the defects and excellencies of his entire system of polity. In 1561, FRANCISCO SANSOVINO, published his "Del Governo de Regni e delle Repubbliche antiche e Moderne," a very readable work considering the period when it was written.

THOMAS BOZIO.—"De Imperio virtutis, sive imperia pendere a veris virtutibus, non a simulatis libri duo adversus Machiavellum," 1594. "De Antiqua et novo Italiæ statu." This author was a clergyman, and was born in the year 1530 at Engubio, a village in Italy. He was deeply and accurately skilled in history; and had prepared a work in six volumes, called "Annuals of Antiquity;" but he died at an early age. The above treatises are of a controversial nature, and are directed against the political principles promulgated by Machiavel. These works are worthy of an attentive perusal.

GIANNOTTI and CONTARINI each wrote treatises, about 1550, on the Republican Constitution of Venice. They are instructive and able works of their class.

LUCIO PAOLO ROSELLO, 1551, wrote his "Il Ritratto del vero governo, del principe del l'essempio vivo del gran Cosimo de Medici." It is a work worthy of perusal, but contains little that has any striking bearing on the main principle of government.

GIOVANNI BOTERI.—"Della Ragione di Stato," Milano, 1596. There are many observations worthy the notice of the politician interspersed throughout this small volume. Those chapters which treat of the

public good, of religion, and the natural fertility of the soil, will prove the most interesting to the theoretical statesman. This jesuit, true to the principles of his order, adopts some of the loose principles of Machiavel, and affirms that the preservation of a government ought to be the grand object of a prince; and that should any danger threaten his power, he should immediately crush it with as much secrecy and silence as possible.

Paolo Paruta.—"Discorsi Politici," Venice, 1599. This work contains many excellent and profound reflections on politics, and its general tone is liberal and enlightened. The author shows his accurate knowledge of Grecian speculation. The book will afford a fair portion of interest and instruction to the general reader.

Father Paul Sarpi, 1605, published his famous work "Delle Materie Beneficiare," which embraces a profound but clear examination into the nature or tenure of the rights, revenues, and privileges, of the clergy. Mr. Hallam observes, that "Except the first book of Machiavel's 'History of Florence,' I do not remember any earlier summary of facts so lucid and pertinent to the object. That object was, with Father Paul, neither more nor less than to represent the wealth and power of the church as ill-gotten and excessive. The treatise on benefices led the way, or, rather, was the seed thrown into the ground that ultimately produced the many efforts both of the press and of public authority to break down ecclesiastical privileges*."

Squitinio wrote his "Della Liberta Veneta," in

* "Lit. of Europe," vol. iii. p. 42.

1612. It has now become an exceedingly rare book. It contains important statements as to the origin and extent of Venetian freedom; and cannot fail to prove both useful and interesting to those who wish for minute information on the Italian Republics. About the same time SAPIO CHIARAMONTI published his "Della Ragione di Stato;" a very learned and useful work.

The political philosophy of THOMAS CAMPANELLA, 1623, is contained in his "Realis Philosophiæ," which is divided into four portions, of which *politics* forms one. His "City of the Sun," is likewise appended to this treatise. The author informs us that it was originally written in the Italian language, and afterwards translated into Latin. The "City of the Sun" was a great favourite with him, and he affirms that it contains more interesting and valuable matter on the science of government generally, than Plato's "Republic," or the writings of any other person. In this high opinion, he is somewhat borne out by the testimony of other writers. Gabriel Naudé maintains that this imaginative piece is full of new and sublime sentiments, and the philosophical speculations on politics, as a science, contain many views by which the governors of commonwealths in general might be greatly benefited. Herman Conringius likewise speaks highly of this production of Campanella's, in his "De Civili Prudentia."

The author's "De Monarchia Hispanica Discursus," was written during his confinement at Naples, and is a work of great intellectual merit. It was several times reprinted during the protectorate of Cromwell, under the following title:—'A Discourse touching the Spanish Monarchy, wherein we have a political glasse

representing each particular country, province, kingdom, and empire of the world, with ways of government by which they are kept in obedience, written by Thomas Campanella, and newly translated into English according to the third edition of his book in Latin," London, 1654, with a preface by the translator, giving a notice of Campanella's adventures. The work was reprinted after the Restoration, under this title: 'Thomas Campanella, an Italian Friar, and second Machiavel, his Advice to the King of Spain for attaining the Universal Monarchy of the World, particularly concerning England, Scotland, and Ireland, how to raise division between King and Parliament, to alter the government from a Kingdom to a Commonwealth, also for reducing Holland and other seafaring countries, &c., with a Preface by William Prynne of Lincoln's Inn." The following extract will serve to give some idea of the tenor of the work, which was written towards the end of Elizabeth's reign:—"My opinion is that the King of Spain should do well to employ under-hand some certain merchants of Florence that are wise and subtle persons, and that traffick at Antwerp, who (because they are not so much hated by the English as the Spaniards are) should treat with some such of the English as are some way or other descended from some of the former kings of England, and should promise each of them severally (no one of them knowing anything of what is said to the others) all the possible aid that can be from Spain, for the restoring of them to their inheritances. . . . Let him also send privately to King James of Scotland, and promise him that he will assist him to the utmost of his power in his getting possession of the kingdom of England,

upon this condition, that he shall either restore there again the Catholic religion, or at least that he shall not annoy or any way disturb the Spanish fleets from the West Indies. Again, on the other side, let him under-hand labour with the English peers, and other chiefest of the Parliament, and egge them on to endeavour to reduce England into the form of a republic. The English bishops are also to be exasperated and put into fears of the advent of King James and his Scots. . . . . The chiefs of the Irish nobility are also to be dealt with, so that as soon as they hear of Queen Elizabeth's death, they should new-model Ireland, either into the form of a republic, or else make it into a kingdom of itself, throwing off all obedience to England, withal promising aids to each of them in particular, and that so much the rather, because in that kingdom or island the catholics, and especially the friars that are of the order of St. Francis, are very greatly esteemed and beloved. There is also much greater agreement and correspondence between the Spaniards and the Irish than betwixt them and the English, whether it be by reason of the similitude of their manners, or also by reason of the clime, and the nearness of these two countries one to the other. There are also in Ireland many vagabond persons, and such as have fled their countries, being men that are most impatient of government, and yet are good catholics, and such as may be able to do good service in this kind, as hath been shown already. But this sort of men is not very rare to be found, either in England or Scotland also."

Campanella was a zealous cultivator of philosophy; and some of his tenets not proving altogether satisfac-

tory to the clerical body, a cry was raised against him, and he had to take refuge in Padua. Here he wrote a work on "Church Government," the scope of which was to demonstrate to the Holy See how all mankind, by purely spiritual weapons, might be brought within the pale of the catholic church. He bases his views on a principle of unity between church and state; and this, he conceives, may be worked out to a practical purpose, by an accurate and philosophical analysis of the social and religious elements of human nature. After some years' residence at Padua, Campanella went to Rome. His papers were seized on his way, and laid before the Court of Inquisition; but he was not himself molested at this time. He returned again to his own country, where he unfortunately got involved, though apparently innocent, in an insurrectionary movement among the peasantry of the country. He was arrested, with some others, who fell victims to the executioner. Our author was sent to Naples, confined in a dungeon for several years, and was seven times put to the torture. In 1626, his release was effected by Pope Urban VIII., on the grounds that he was an ecclesiastic, and, as he was charged with heresy, it was requisite he should appear before the Inquisition at Rome. Here he was sent, and lodged in the buildings appropriated to the Holy Office; where, though nominally a prisoner, he was allowed a large share of personal freedom. After other three years' surveillance of the papal authorities, he was completely set at liberty, after an imprisonment, chiefly on account of his political writings, of *thirty years* duration. A few years after his release, and when residing at Rome, Campanella published other two

treatises of a political nature. The one was in favour of the principles of papal government, from which he had suffered so severely, and entitled, "Monarchia Messiæ, ubi, per philosophiam divinum et humanam demonstrantur Jura summi Pontificia super universum Orbem." The other publication was called "Discorsi della Liberta e della Felice suggezione allo Stato Ecclesiastico." These works did not, however, obtain him peace and quietness. He became again an object of suspicion. The pope urged his flight into France, and gave him a letter of introduction to Cardinal Richelieu, who procured him a small pension from Louis XIII. He died in the convent of the Jacobins, Paris, in 1639.

Campanella is one of the most singular political writers of his times. He is full of contradictions and riddles. What his real intentions were as to government matters, it is impossible now to say. His long and severe imprisonment would argue that his views must have been hostile to the ruling authorities of the day; but then again, he zealously laboured to enforce principles which went immediately to the root of all freedom and social improvement. He seems an uncompromising advocate for papal power; yet he demands that it should be placed on an enlightened principle of discussion and general intelligence—two things very antagonistic in their nature. He always thought the freedom of political sentiment in England was a formidable obstacle to the carrying out his theories. He has several schemes for repressing this freedom, as we have already noticed. He says, "No better way can can possibly be found than by causing divisions and dissentions among them (the English), and by con-

tinually keeping up the same; which will furnish the Spaniard and the French with advantageous opportunities. As for their religion, which is a modified Calvinism, that cannot be so easily extinguished and routed out there, unless there were some schools set up in Flanders, where the English have great commerce, by means of which there may be scattered abroad the seeds of schism and division. These people being of a nature which is still desirous of novelties and change, they are easily wrought over to anything."

There were several Italian works, bearing on the doctrines of Political Economy, published within the period we are now treating of. The position of the country—the then emporium of a considerable portion of the commerce of the world—was particularly favourable to such speculations. Every chief city had something to gain or lose by commercial codes and regulations about money; and hence it is that we find the Italians so early in the field in this department of general polity.

Gasparo Scaruffi wrote, in 1579, his "Discorso sopra le Monete, e della vera proporzione fra' l'oro e l'agento." A short time after, 1588, Benardo Davanzati, a Florentine, published a treatise called, "Sulle Monote;" and another "Sui Camj," or "The Exchanges."

Antonio Serra.—This political writer was a native of Cosenza, and wrote a work on the causes which render gold and silver abundant in such countries as have no mines of their own containing the precious metals. This work is dedicated to the Count de Lamos, "from the prison of Vicaria, this tenth day of

July, 1613." It is the opinion of this author that the causes of the wealth or abundance of money may be referred to two sources—general and particular. The general comprehend four, namely, abundance of manufactures, the character of the inhabitants of a country, the extent of commerce, and the wisdom of the government. The particular circumstances are, the fertility of the soil, and the advantages of geographical position. This writer gives the preference to manufactures above agriculture; and the reason he assigns is, that the former are susceptible of an indefinite extension.

After Serra, we have the writings of TURBOLO, of Naples, whose notions on money are well-known. His chief treatise is called "Discorsi e Relazione sulle Monete del Regno di Napoli," 1616, 1618, 1623, and 1629. Another author of Modena, GEMINIANO MONTANARI, wrote a work, 1680, entitled "Trattato del Valore delle Monete in tutti gli Stati;" in which he lays down, with great precision, certain principles for the regulation of the currency of the kingdom.

The satirical works of a political and social cast, are very numerous in Italy, and form an important and bulky portion of its general literature. Here, as in many other sections of Europe, the popular song, and ephemeral squib, were often powerful for the hour; and excited the indignation and wrath of the ruling powers. It was a bold and perilous undertaking to lash the vices and oppressions of the times; but there were always a few witty and restless spirits, who, regardless of personal dangers, rushed into the combat and lampooned and satirised all grades of authority, from the crowned head, to the meanest public functionary of the state.

PETER ARETINO was born in Tuscany, in 1492, and surnamed the "Scourge of Princes," a designation he literally earned, for he spread terror and dismay among the crowned heads of his day. He laid many of them, and Charles V. and Francis I. among the number, under annual tribute, to ward off his bitter satire and abuse. Aretino attacked the clergy, and held up their vices and defects to public ridicule; but his most able and virulent effusions were steadily directed to the glaring injustice and defects in the several modes of government, both in Italy and in neighbouring states. The fear inspired by his pen, made him proud and conceited; and so extravagant a turn did his self-importance take, that he had a medal struck, bearing on one side his head, with the inscription, "The Divine Aretino," and on the reverse side, his figure, seated on a throne, receiving the envoys of princes. His writings assume all sorts of forms; prose and verse, letters, discourses, dialogues, cantos, sonnets, and comedies; but all stamped with the seal of cleverness and the consummate skill of the satirist. He died in 1556, and an Italian wit wrote an epitaph for him, "That he satirised every one but God, whom he spared only because he did not know him." His political sentiments are chiefly to be found in his "Letters," 1538, and in his poetical effusions and songs to the popes and monarchs of the day.

Political farces were very common, soon after the Reformation, in many of the chief cities and states of Italy; and they often depicted the policy of the times in such a vivid manner as to raise the ire of the authorities, and excite public feeling to a great pitch. We find Luther, in his works, mentions one of these dra-

matic effusions. When Maximilian was a prisoner at Bruges, in Belgium, the people there thought of cutting off his head. He wrote to the senate of Venice on the subject. This body replied, "*Dead men don't make war.*" The matter gave rise to a farce, which was often played in the streets. First came the person representing the doge, then one representing the King of France, with large pockets filled with money, which he pretended to throw about him. Next came Maximilian, in a grey coat, and a small hunting-horn hung round his neck. His coat was likewise furnished with a huge pocket; but when the hand was put into it, his fingers went through the bottom of it. The Florentines took up the same jest; and ridiculed the authorities with unsparing severity.

Poggio Bracciolini, was an ecclesiastic, and one of the active instruments in the early movements in Italy relative to Greek literature. His "Liber Facetiarum" is a curious production, in which, often in the most indecent and vulgar language, he ridicules the priesthood, and lays bare their private vices, and political delinquencies. In his work "On Hypocrisy," he deals with the religious orders in this style, "They who assume the appearance of uncommon sanctimoniousness, who walk the streets with squalid countenances, in threadbare garments, and with naked feet —who affect to despise money—who are continually talking about Jesus Christ—who wish to be esteemed virtuous, whilst their deeds do not correspond with their outward appearance—who seduce foolish women —who quit their cloisters, and travel up and down the country in quest of fame—who make an ostentatious display of abstinence—who deceive and defraud

—these men, I think, may be justly denominated hypocrites."

Poggio likewise wrote a work "On the Unhappiness of Princes." He descants, at considerable length, on the position, that both from history and the ordinary principles of human nature, princes must be the most unhappy of all mortals. They are universally depraved, both in public and private sentiment. They are avaricious, cruel, intemperate, proud, and of unbridled ambition; and being thus enslaved by vice they cannot possibly know, or feel anything of true happiness. The uncontrolled authority they exercise, is, of itself, one of the most powerful stimulants to wickedness of all kinds; inasmuch as it removes all those wholesome restraints which public opinion throws around a man's movements, and keeps him continually reminded of the importance and value of good principles*.

Filelfo was a violent satirist of the government of Cosmo de Medicis. He did not confine himself to public matters; but took a delight in delineating the most atrocious private vices and scandals†.

* Poggii Opera, p. 392.

† In the author's "Philelfi Satyræ," he addresses the judges of Cosmo in the following lines:—

"En Mundum servat conjectum in vincula carcei,
Qui rebus momenta dabit non parva futuris.
Nunc etiam atque etiam vobiscum volvite curas,
Et lustrate animo quæ sint potiora saluti
Urbis consilia: his castas accommodet aures
Quisque suas. Vobis res coram publica sese
Offerat in medium, referens stragesque necesque.
Venturas, ubi forte minus pro lege vel æquo
Supplicium sumptum fuerit de sonte nefando;
Aut etiam officium collatum munere mulc tam
Pendeat, afficiet magnis vos cladibus omnes."

AONIUS PALEARIUS, wrote his "Inquisitionis Detrectator," in 1536. He calls the Inquisition a poinard held at the throats of literary men. He was beheaded for his writings at Rome, in 1570.

The work called "Squitinio della Liberta Veneta," 1612, previously noticed, was considered a very seditious one by the public authorities of Italy. The author makes some severe strictures on the Venetian government, showing that its boasted freedom was, in fact, no freedom at all. The work was burned by the common executioner in the city of Venice.

TRAJANO BOCALINI'S "I Ruggriagli di Parnasso," 1630, (or Advertisement from Parnassus in two centuries; with the Political-Touchstone), is a curious work. It was translated into English in 1657, by the Earl of Monmouth. The work is a satirical effusion, and must have told with some effect among the political speculators and literati of Italy. The general scope of the work is, that a society of politicians open a shop or warehouse in Parnassus, where they sell various sorts of merchandise. The things they dispose of have an allusion to the party politics of the day and country. The warehouse is represented as being amply stored with *stuffing* or *bombast*, an article little prized by the common run of people, but highly valued by *courtiers*. The shavings of the finest clothes which wise men weave with the superfine wool of *forbearance*, serves to stuff the *pack-saddles* of slavery, to make them more easy for the courtiers. Pencils are likewise sold for the use of those princes who have occasionally to paint black for white. Spectacles, compasses, besoms, iron instruments, perfumed comforts, horse-trammels, and peacock's feathers, are among the articles puffed off as

specifics for state necessities and ailments. Oil is a standard commodity for strengthening the stomachs of courtiers, and their royal masters. The political ink, however, takes the precedence of all other articles, for by it politicians have it in their power to confer immortality upon all writers whose cause they espouse. There is much good sense, and profound observation displayed throughout the volume. The "Teatro Jesuitico," 1654, is one of the most bitter works which ever appeared in Italy against the jesuits. Its author is supposed to be Pierre Jurieu. He denominates the Society of Jesus to be the common pest of all nations; dangerous alike to the sovereign and the people. He likewise wrote "Catéchisme des Jésuites," 1602. Loyola, their founder, he calls an incendiary, a fool, a sophist, an ass, a Don robber, and a glutton. The books were condemned to the flames, and are now very scarce.

The satirical works of FERRANTE PALLAVICIN, 1660, form a curious specimen of Italian satire. He attacks the popish system with great earnestness and bitterness, calling Urban VIII. by all kinds of names, and showing that the system of theological supremacy was infamous in principle, and degrading in practice. The author had to take shelter in Venice; but was inveigled into France, where he was beheaded at Avignon, in the twenty-third year of his age.

The satirical works of GIGLI, 1700, are spoken of, by Italian writers, as having had some political influence in their day. They were committed to the flames, both at Rome and Florence. The poetical effusions of BAPTISA, a native of Mantua, abound with severe censures on the Roman hierarchy.

There were a great number of political caricatures published in Italy, after the revival of letters, and for a couple of centuries afterwards. Of these, little is known in this country; and regular collections of them even in the chief Italian cities are by no means common. But for a long time after the art of printing became generally known, the painters and engravers were very active; and many hundreds of the most amusing and pungent caricatures of the public authorities of the day, were brought before the public eye.

Newspapers, by a sort of common consent among antiquaries, date their origin from Italy. The *gazettas* of the Italians, which sold for a small coin called *gazetta*, are the foundation of our English *gazettes*. These vehicles of public news first appeared in the republic of Venice, and was under the direct superintendence of the government. Other cities and states in Italy adopted these kind of newspapers, under the same name. Mr. George Chalmers says, that "A jealous government did not allow a *printed* newspaper; and the Venetian *gazetta* continued long after the invention of printing, to the close of the sixteenth century, and even to our own days, to be distributed in *manuscript*." There are thirty volumes of Venetian *gazettas* in the Magliabechian Library, at Florence, all in manuscript*.

* See note D, at the end of the volume.

CHAPTER V.

POLITICAL LITERATURE OF GERMANY, HOLLAND, THE NETHERLANDS, AND OTHER NORTHERN KINGDOMS OF EUROPE, FROM THE YEAR 1400, TILL 1700.

FROM the various countries, whose political systems we have to notice collectively in this chapter, we shall be compelled to lean more to the chronological, than to the territorial division of our matter. This partial deviation from our general design, will not, it is hoped, prove any stumbling-block either to the scientific or general reader.

The political literature of Germany after the year 1400, till the actual commencement of the Reformation, consists of little or nothing, save some dry scholastic discussions on the general polity of states. These were merely elementary treatises for the use of such students of the several universities of the kingdom, as were destined for the legal profession. The spirit of what is called modern politics, is coeval in this country with the rise and progress of the Reformation. Temporal and spiritual reforms were discussed together; and the idea was a very prevalent one, among all the most active and intelligent men of the country, that they ought never to be separated, either in theory or in practice.

The political elements of the Reformation manifested themselves very early in the German states. The opposition to the Church of Rome, as a civil establishment, became very active in the fifteenth and sixteenth centuries, and it grew more headstrong and violent in proportion as the papal power sought to exterminate every rising aspiration of freedom with fire and sword. The reformers of this part of Europe were the most indomitable and energetic, and though they had no particular social or political theory to advance, yet they disseminated in every corner of the country, those general principles of equality and liberty, so profusely scattered throughout the sacred writings. The church was no longer an independent institution, but became merged in the state. The power of the clergy was more dependent, as well as that of princes; and, in the administration of justice, arbitrary rule and personal authority were checked and brought under the influence of higher principles of equity and right. All these, and many other equally weighty considerations, found their way to the public mind; and greatly influenced the early political writings in Germany, on the fundamental principles of civil polity and government.

The first efforts of intellectual freedom in the sphere of politics, were neither very rational nor expedient in some parts of the German states. Early in the sixteenth century, these were founded on one-sided and partial views of scripture truths and declarations. The writings of the anabaptists created disturbances at Amsterdam, and an insurrection in Westphalia. Their political creed ran thus:—"We have one common father Adam, whence comes the diversity of ranks and of goods? Why groan we in poverty while others

have delicacies? Have we not a right to the equality of goods, which, by nature, are made to be parted without distinction amongst us? Return us the riches of the time being; restore us that which you retain unjustly?" To this doctrine of the community of goods, this political sect added to it the community of women, and a common family; and to crown the whole, they likewise maintained, that those who are in possession of true gospel light, have all that is requisite to direct them in civil life, and that the office of magistrate is unnecessary, and a violent and unauthorised encroachment on the liberty of the subject.

Muntzer, the leading propounder of these doctrines, died upon the scaffold at Mülhausen, in 1525; but his political and social doctrines still survived him. The city of Munster was seized by these enthusiasts, in which they attempted to carry into practice their community of women and goods. But the constituted authorities of the times put an end to these delusions, by taking the city by storm, and killing and executing the ringleaders of the sect.

This revolt of the anabaptists was partly of a religious and partly of a political cast. The people had for ages been reduced to the lowest state of serfdom and debasement; and when the bible became known among them, a new light was shed on their minds, and they beheld the gross injustice their rulers had inflicted upon them. It must be kept in remembrance that, before the end of the fifteenth century, Germany possessed at least twelve editions of the scriptures in the vernacular tongue. Two millions of bibles, and a million of New Testaments had been distributed over the country, in less than one hundred years. The work

"De Restitutione," the text book, or political charter of the anabaptists, pretended to be an exposition of the legislative doctrines of the sacred writings; but was, in fact, one of the most absurd medleys of religious fanaticism and civil and political vagaries, that ever made its appearance, in the world of letters.

The political sentiment of Germany was vastly influenced by the publication, in 1517, of the famous effusions, called "Epistolæ Obscurorum Virorum," or "The Letters of Obscure Men." These found their way into every nook and crevice of the continent of Europe, and excited the risibility and contempt of the people against the civil and religious abuses and extravagancies of the times. The origin of these famous epistles was an affair connected with the celebrated John Reuchlin. He was born in 1455, studied at Poictiers, resided a considerable time in Rome, and filled the office of count palatine in Germany, an office of honour and influence. He was a professed scholar, and a man of an enlightened and liberal spirit. Among many other learned works, he published a Hebrew grammar and dictionary, for the avowed purpose of facilitating the study and translation of the sacred scriptures. This roused the animosity of the scholastic doctors of the day, and particularly the Dominicans, who, in conjunction with the Jewish Rabbi of Cologne, and the chief inquisitor, applied to the Emperor Maximilian, to have all Hebrew books, except the bible, publicly committed to the flames. The alleged reason for this was, that such books were full of blasphemies against our Saviour. The emperor requested the opinion of Reuchlin on the nature of these publications. The learned author singled out those works which were

really of an objectionable character, and left them to their fate; but spared the rest. He accompanied his judgment with these observations: "The best way to convert the Israelites would be to establish two professors of the Hebrew language in each university, who would teach the theologians to read the bible in Hebrew, and thus to refute the Jewish doctors?" This raised a furious clamour among the Dominicans and all the abettors and supporters of the inquisition. Reuchlin was threatened to be sent to its hideous dungeons. Hachstraten, its chief inquisitor, obtained a decree from a tribunal at Mentz, that the whole of the writings of Reuchlin should be committed to the flames; a decree that was carried out amid great pomp and ceremony. The persecuted author appealed to Leo X. who referred the whole matter to the bishop of Spiers. This umpire declared Reuchlin innocent, and condemned the monks to pay all expenses incurred by the proceedings.

Both public opinion, and the majority of the learned and able men of the day, were decidedly in favour of Reuchlin. He wrote his famous "Defence against his Cologne Slanderers," in 1513; which took a powerful hold of the mind of all Germany. At the head of his friends, stood Ulrich of Hütten, called the German Demosthenes, on account of his philippics against the Roman hierarchy. He had served in the army, as a common soldier, at the seize of Padua, and had led both a wandering and studious life. In his rambles he visited Rome, whose vices he depicted in glowing colours. On his return to Germany, he published his work called "The Roman Trinity," in which he eloquently enforced the necessity of putting an end to the

disorders and oppressions of the papal court. In this treatise he says, "There are three things that are usually brought away from Rome:—a bad conscience, a disordered stomach, and an empty purse. There are three things in which Rome does not believe;—the immortality of the soul—the resurrection of the dead—and hell. There are three things in which Rome traffics;—the grace of Christ—ecclesiastical dignities—and women." Hütten, at the head of a number of men of letters, made a regular attack upon the enemies of Reuchlin, in the admirable "Letters of Obscure Men." The work is a bold and very striking caricature, but full of fire, strength, and genius. It spread rapidly over the entire continent of Europe, and held the monks and the supporters of tyrannical power up to laughter and derision. It is impossible to give the reader an adequate idea of the "Epistolæ;" they must be read to be appreciated. They abound with droll adventures, often characterised by excessive profligacy, and the irony is so subtle and keen, that many of the Dominicans, when the letters first made their appearance, mistook their import and drift, and felt proud of the notice taken of them! "A certain prior of Brabant, in his credulous simplicity, even purchased a great number of copies, and sent them as presents to the most distinguished of the Dominican order. The monks, more and more exasperated, applied to the pope for a severe bull against all who should dare to read these letters; but Leo X. would not grant their request. They were forced to bear with the general ridicule, and to smother their anger. No work ever inflicted a more terrible blow on the supporters of the papacy. * * * * Hütten took refuge in the castle of

Ebernburg, where Francis of Sickingen offered an asylum to all who were persecuted by the ultra-montanists. It was here that his burning zeal for the emancipation of his country dictated those remarkable letters which he addressed to Charles V., to the Elector Frederick of Saxony, to Albert, Archbishop of Mentz, and to other princes and nobles—letters that place him in the foremost rank of authorship. Here, too, he composed all those works intended to be read and understood by the people, and which inspired all the German states with a horror of Rome, and an ardent love of liberty*."

As a specimen of the style and spirit in which the "Epistolæ" were written, we give the following paragraph, in which the casuistry of the schools is ridiculed to perfection.

"When I first set out for the Court of Rome, you told me I ought to write to you often, and to lay before you theological questions, which you would solve better than the courtiers here. I now, therefore, beg your decision, regarding the situation of one, who on a Friday, or other fast day, has eaten an egg with a chicken in it. A friend of mine and I were lately sitting at an inn, and eating eggs, I opened one and saw that there was a young chicken in it. So I showed it my companion, and he said, 'eat it as fast as you can, lest the landlord should see it; if he does, you will have to pay him for a pullet, for it is the custom here to pay for whatever is set upon the table, and they take nothing back.' If he sees there is a young pullet in the egg, he will say, Pay me for a pullet!

* Hütten's works were published at Berlin, in 1825, in 5 vols. 8vo.

for he reckons a small one just the same as a large one.' I immediately ate up the egg and the chicken in it, and then all of a sudden I recollected it was Friday, and said to my companion, 'you have made me commit a mortal sin in eating meat on a fast day.' But he said it was not a mortal sin, and that it did not even amount to a venial sin; for that the chicken was not considered as anything more than an egg, till it was hatched, 'So it is,' said he, 'with cheese, in which there are a great many maggots, and so with cherries, peas, and beans, and many other things which are nevertheless eaten on fast days, and even on the Vigils of the Apostles. And the landlords are great rogues for saying they are meat, which they do to get more money.' Then I went away, and mused upon it, and, by Heaven, Master Ortuinus, I am much troubled thereon, and know not how it becometh me to act. If I go to advise with one of the people about the Court, I know they have no conscience. It seems to me that these chickens in eggs are meat, because the substance is formed and fashioned into an animal body, and has the vital principle; and the case of maggots in cheese, &c., does not apply, for maggots are considered as fish, as I have heard from a physician who was an excellent naturalist. I beseech you most earnestly to answer and advise me touching the question proposed; for if you hold it to be a mortal sin, I wish to procure absolution before I leave for Germany. You must know too that our master (of arts,) Jacobus de Hochstrat, has got a thousand florins, and it is my opinion that he will win his cause, and that the devil will confound that John Reuchlin, and all other poets and jurists who are against the church

of Christ, that is, against the theologians on whom the church is founded," &c.

When the reform sentiments of the several German principalities were in full play, we find the most ultra ideas entertained on the nature of all political relations and principles. Most of the chief movers in the new order of things, distinctly saw the necessary connection subsisting between religion and general polity; and dwelt in their writings, more or less, on the practicability of bringing these two vital subjects into something like harmonious agreement. But we must always bear in mind, that most of the reformers were not professed politicians. They furnish no evidence of having studied the science of general legislation in a systematic and profound manner. To rout out religious errors was their grand aim; and it was only when they saw these resting upon, and deriving powerful support from political abuses, that they were induced to discuss the abstract nature of civil rights, privileges, and institutions.

LUTHER had a violent antipathy to princes. He wrote a tract, which was widely circulated over the whole continent, in which he speaks of them in the following strain:—"Ever since the world was the world, a wise and prudent prince has been a *rara avis*; and an *avis* still more *rara*, has been a prince who was at the same time an honest man. What have we always found great men to be, at least almost always? Great fools, great knaves, the greatest knaves under the sun; lictors and hangmen in high places, whom God has made use of in punishing the other wicked ones of the earth: for God being a great and mighty king, it was necessary that the hangmen and lictors

he employed should be noble, rich, illustrious persons, men in high and world-honoured places, men feared by the world. It has pleased his divine will that we should address his hangmen and lictors, as *most gracious lord, most exalted prince,* and so forth; that we should prostrate ourselves at their feet; that we should be their dutiful, and obedient, and humble subjects. But beyond the hangman and lictor business, these men never carry their artifice so far as to pretend to be good shepherds of us their sheep. Oh, no; if we meet, in history or our experience, with a prudent, honest, christian prince, we cry, '*A miracle! a miracle!*' and regard it as a precious token of divine favour; for generally it happens to us as to the Jews, whom God thus menaced, '*I will give them a king in my anger.*'

"God has heated the brains of princes. They think they are fully entitled to follow out their own caprices; they put themselves under the wing of the emperor, and, according to their own account, in what they do, merely execute his orders like obedient subjects, as if they could in this way conceal their iniquity from men's eyes. Knaves that pass themselves off as christian princes! And these are the hands to which Cæsar has confided the keys of Germany.

"But I'll do my best to open the eyes of the blind to these five words of the 107th Psalm; *he poureth contempt upon princes.* Ay, princes, the hand of God is suspensive over your heads. Contempt will be poured upon you; you will die, were your power greater than that of the Turk himself; and it will avail you nothing to puff and swell yourselves out, and to grind your teeth. Already your just reward is

at hand; you are estimated at what you really are, rogues and rascals; you are weighed in a just balance, and found wanting; the people know you thoroughly, and the terrible chastisement, which God terms contempt, is hemming you round about, closer and closer, and will not be turned aside. The people, utterly wearied of you, will no longer endure your tyranny and your iniquity, nor will God. The world now is not the world as it used to be, wherein, at your good pleasure, you chased men, as though they were wild beasts."

"Explanation of the Monk-calf, and of two horrible Popish Monsters found in the Tiber, at Rome, in 1496." Published at Friburg, in Misnia, 1523, by P. Melancthon and Martin Luther.—"At all times, God has manifested, as with his finger, his anger and his mercy, and by miraculous signs announced to men the overthrow, the ruin, or the splendour of empires, as we see in Daniel, viii.

"During the pestilential domination of popery, he multiplied these signs of anger, and, but recently, has, in that horrible figure of the pope-ass, found in the Tiber, given so exact a representation of the papacy, that no human hand could have traced a closer resemblance.

"And first, there is the ass's head, which so well indicates the pope. The church is a spiritual body, which can rightly have no visible head or other member, but only Christ himself as Mediator, Lord, and Master. The Holy Scriptures illustrate by the ass, an irregular and carnal life, Exodus, xiii. And just as the brain of an ass differs from the intellect of man, so is the papal doctrine remote from the doctrine of

Christ. Thus, ass's head, according to the Scripture, the interpretation of natural law, and the light of reason, is shown by the imperial priests, who say, a mere canonist, a mere ass.

"*The right hand resembling the foot of an elephant*, signifies the spiritual power of the pope, wherewith he bruises and breaks trembling consciences, in like manner as the elephant seizes, tears, and crushes its victims. For is popery anything else than a murderous immolation of consciences, by means of confession, vows, celibacy, masses, feigned penitence, indulgence-trickstering, the superstitious worship of saints; as Daniel says: '*He shall kill the saints.*'

"*The left hand of a man*, means the political power which the pope has arrogated, despite Christ's prohibition (Luke, xxii.); but which antichrist has seized upon, by help of the devil, in order to make himself master of kings and princes.

"*The right foot ending in a bull's hoof*, means the spiritual members of popery. The *bajuli* who aid and assist in the oppression of men's souls; the catholic doctors, preachers, confessors, the mob of monks and nuns, and above all, the scholastic theologians, that race of vipers, who insinuate and filter into the people the prescripts and ordinances of popery, and chain down consciences captive beneath the foot of the elephant; the very basis and foundation of papism, which without them would never have been able to subsist as long as it has. For what does the scholastic theology comprehend but insane, wild, foolish, execrable, Satanic, maddening dreams, monks' reveries, of no use but to trouble, fascinate, set to sleep, and destroy men's souls?

"*The left foot that of a griffin*, indicates the minis-

ters of the pope's temporal power—namely, the canonists. When the griffin has got a victim in its claw, it keeps good hold of it; in the same way, these satellites of the pope, when, by means of their long canonical hooks, they have clawed hold of our property, take care not to let it go again.

"*The breast of a woman* means the papal *corps*—that is to say, the cardinals, bishops, priests, monks, the saints, and martyrs of the Roman calendar, the whole race of roaring lions and Epicurean pigs, who go about seeking what they may devour, eating and swilling, and shamelessly indulging in all sorts of filthy obscenity.

"*Fishes' scales on the arms, feet and neck*, indicate the temporal princes and lords who obey this domination, united and folding over popery as the scales upon fish, though they know well enough the monstrous sins of popery, its horrible tyranny.

"*The head of an old man partly attached to the left thigh*, implies the old age, the decline and fall of the papal kingdom. And, thank God, the base farce is well nigh over!"

ERASMUS, "Adages," &c., 1500. The political writings of the learned Erasmus are particularly worthy of attention. They form rather a striking feature in political history immediately connected with the great movement of the Reformation in Germany. The author's opinions will be chiefly found in his "Adages." It is here that we have kings and courtiers drawn at full length, by his witty and sarcastic pen.

The "Adages," are well-known for their political pungency and severity on crowned heads. In one place he says, "Let any one turn over the pages of ancient or modern history, scarcely in several generations will

you find one or two princes, whose folly has not inflicted the greatest misery on mankind. * * * * I know not whether much of this is not to be imputed to ourselves. We trust the rudder of a vessel, where a few sailors and some goods alone are in jeopardy, to none but skilful pilots; but the state, wherein the safety of so many thousands is concerned, we put into other hands. A charioteer must learn to reflect upon, and practice his art; a prince need only be born. Yet government, as it is the most honourable, so it is the most difficult of all sciences. And shall we choose the master of a ship, and not choose him who is to have the care of many cities, and so many souls? But the usage is too long established for us to subvert. Do we not see that noble cities are erected by the people; that they are destroyed by princes? that the community grows rich by the industry of its citizens, is plundered by the rapacity of its princes? that good laws are enacted by popular magistrates, and violated by these princes; that the people love peace; that princes excite war?

"It is the aim of a guardian of a prince, that he may never become a man. The nobility, who fatten on public calamity, endeavour to plunge him into pleasures, that he may never learn what his duty is. Towns are burned, lands are wasted, temples are plundered, innocent citizens are slaughtered, while the prince is playing at dice, or dancing, or amusing himself with puppets, or hunting, or drinking. O race of the brute, long since extinct! O blind and blunted thunderbolts of jupiter! We know, indeed, that those corruptors of princes will render account to heaven, but not easily to us."

The bitterness and boldness of the author's invective, stand prominently out from the general tone of political speculations of his own age and country.

The opinions of MALANCTHON on political principles are of a very liberal cast. He does not inveigh so bitterly and sarcastically against government and kings as Erasmus. In Melancthon's "Epitomy of Moral Philosophy," he lays down the doctrine; that the forms of kingdoms are different, and in some places there are some degrees of liberty more than in others. God approves of all forms of government that are agreeable to right, nature, and reason.

ULRIC ZWINGLE maintained that "When, by the consent of the whole people, or the better part of them, a tyrant is deposed, or put to death, God is the chief leader in the action*."

JOHN CALVIN'S "Institutes." The last or twentieth chapter of the famous "Institutes" of Calvin, is devoted to the discussion of the nature of civil government. It sets out by showing that there are two great errors to be avoided in the discussion of political matters; to shun wild democracy, and to oppose tyrannical power. Government is necessary to men's happiness, as bread and sustenance is to the body. The science of government must ever be greatly modified by the external circumstance of a country. The general doctrine of the right to resistance is very tenderly touched by Calvin. He seems greatly puzzled how to dispose of the question in such a manner as shall be in unison with his resistance to the authority of the pope. He shows that if a parliament be chosen in any state, and that that legislative body winks at the

* Works, 1531.

oppressions of a prince, then it deceives the people, and violates its sacred trust to maintain their civil liberties, and commits a grievous sin in the sight of God*. At the same time he maintained that no outrage on the liberty of the subject, however grievous, if committed by rulers acting under divine right, could justify resistance from a christian man†. In 1554, Calvin published a small work vindicating the magistrates of Geneva for the burning of Servetus.

THOMAS ERASTUS, a contemporary of Luther's, wrote his work "De Excommunicatione Ecclesiastica;" which was the foundation of the theological and political notions embodied in what is called in modern times Erastianism. This system was grounded on the principle, that religion is an affair between man and his creator; and that all individuals calling themselves christians have a right to resort to any place of public worship and partake of the christian ordinances of faith. This is an attack upon all classes or denominations of christians, having a regular clergy set apart for the ministration of sacred things. The Erastians maintained that the power of excommunication was the great engine of theological and civil tyranny and oppression.

SABASTIAN CASTALIO, under the assumed name of Martin Bellius, was the author of a tract in favour of religious toleration, entitled "De Hæreticis quomodo cum iis agendum sit variorum Sententiæ." It is a compilation of opinions and sentiments from the fathers of the church, and other modern writers, in favour of dissent in matters of faith. In a letter prefixed to the work, addressed to the Duke of Wirtemberg, the

* "Institutes," p. 748, folio edit. 1611, London. † Ibid, b. iv. c. 20.

author shows the general impolicy of intolerance, by its awakening the active sympathies of mankind for the victims of bigotry, and by the fact that no real progress in the work of proselytising can be made by coercive enactments, however cunningly and plausibly they may be enforced.

THEODORE KOORNHERT, a native of Holland, was an able and zealous champion for the cause of toleration. He published a work in Latin against public executions for heresy; but it is very seldom to be met with. Bayle and Brandt are the only writers who speak of it from personal knowledge*.

THEODORE BEZA undertook, at Calvin's request, to defend the doctrine that it was the magistrates' public duty to punish heresy. His work is entitled "Hæreticis a Magistratu Puniendis." This appeared about 1550, and created no little interest among all classes of politicians and reformers of the day. It was written in answer to the treatise of Castalio. The chief arguments that Beza employs are drawn from scripture history. He maintains that heresy was always considered a capital offence under the Mosaic law; and that both the letter and spirit of the entire body of christianity are in favour of a forcible repression of obnoxious and dangerous opinions.

Throughout the whole of Germany, and other neighbouring countries, more or less under the influence of the reformed opinions, satire and ridicule were freely employed against the theological and political abuses of the times. The number of fugitive productions of this cast was very great. The political squibs, in prose and verse, songs, farces, comedies, and the like,

* See Bayle, and Biogr. Univ.

amount, even at this hour, to some hundreds of volumes. The Schoolmaster of Esslingen was one of the most prominent of the German satirical ballad-mongers of the day. Master Rainbow, Master Rumsland, and Spervagel, are likewise mentioned as very prolific and popular writers. "The Composition of Pope Joan," appeared in 1480, and attained universal popularity. It brought great scandal on the papacy. Certain Swiss republicans composed war songs, which were very instrumental in propagating wild notions of liberty among the mass of the people. Veit Weber is one of the most noted of these writers.

LEMNIUS wrote satirical epigrams, 1538, against Luther and the Elector of Saxony. The author was obliged to leave the country in consequence. These epigrams are full of merit, and created no little sensation when they first appeared.

Two severe satires were published in Germany, in 1609, called "De Antichristo Romano." They condemn the political part of popery with great bitterness and powerful sarcasm.

SABASTIAN DE BRANDT published, in the Dutch language, his curious work, called "The Ship of Fools," 1500, which has been translated into Latin, French, English, and Italian. Among the list of *fools* who crowd the ship, are the political ones—as unjust rulers, oppressive lawyers, and all the numerous hosts of persons who obtain their living by various species of political corruption and dishonesty. This treatise is exceedingly curious, though its allusions to general polity are neither so frequent and direct, as to the ordinary moral habits of the world. "The Mirror of Owls." (Till Eulenspiegel), was another Dutch satire

of great repute in its day; but the author of it is unknown.

JEHAN, called the Libeller, 1520, was a writer of note in his time. The chronicles of the Low Countries give an affecting account of the fate of this satirist. He was the author of the most stirring articles levelled against the Spanish power in Belgium. His history is singular and melancholy. One of the general agents of Spain, called Mandragore, under the immediate authority of the Duke of Alva, seized a beautiful young lady at Brussels, the only child of her parents, who moved in a respectable sphere of life. The results of this brutal act were the abandonment of the female, and the birth of a son. The mother and child lived afterwards together at Bruges; and one of the first lessons assiduously inculcated into his growing mind by his mother was, to rear him up with an unquenchable hatred of the Spanish rule from which she had suffered such grievous and irreparable injury. The son having received a good education, employed his pen as he grew in years, and galled the oppressors of his country into a state of fury. He lampooned the duke and his satellites on every occasion, and got his writings, though published anonymously, circulated in every town and village. A large reward was offered for the discovery of the author. He was suspected; but immediately resolved to make his appearance before the duke himself, and claim the reward for the assistance of his poor mother. The following is the sequel to the story.

"Well, my lord! Upon your good faith, I deliver Jehan, the Libeller, to you. *I* am Jehan! You will immediately liberate my poor mother."

Alvarez rose.

"Thou art, indeed, a bold man, to throw thyself thus into the lion's jaws. Does't thou not know the fate of those who shall dare to attack the authority deputed to me."

"I fear not death."

"Since when are kings accountable to their subjects for their acts? Have they any account to render but to heaven."

"To be the representative of God on earth, kings should be just and merciful, as God is! And thy king is a tiger thirsting for blood, unworthy of his father, and only worthy of such servants as thou art."

All present uttered an exclamation of surprise. Never before had such words been spoken to the favourite of Philip the Second.

Alvarez commanded silence.

"Madman!" he said, "do you know to whom you speak?"

"Ah, if I know you! I know the other Attila; that wherever thy war horse passes, ruin and desolation follow. To-morrow! perhaps this very day—my quivering limbs may be the scoff of the executioner—but I fear nothing! I would rather die, than any longer behold my suffering country. But do not think by silencing me, to silence the murmurs of the people. After me, more powerful combatants will take up the cause; as long as one Belgian shall be left in the kingdom, there will be a voice to cry out and to curse thee and thy associates."

"That is too much," said Mandragore. "My lord is too good to listen to the madman!"

"No, that excuses me," replied the duke.

"As for thee, Signor de Mandragore," replied Jehan, "worthy companion of thy master; Faithful executioner of justice, listen to me. When our great emperor (Heaven protect his memory!) came into Belgium, he was accompanied by a suite of Spanish officers young and handsome. One of them, (his crimes were not then written on his face) was much noticed by us; but already, his wayward nature foretold what he has since become. In Brussels lived a young maiden, the sole hope of her poor mother. And on this young maiden, did the Spanish officer cast his eyes. She was beautiful. And a noble gentleman had no need to be scrupulous upon the lawfulness of his desires. The maiden's virtue was incorruptible—but that screened her not from a Spanish *man of honor!* She was seized and brought before this handsome nobleman; neither were her prayers or protestations attended to; but, ere long, she was thrust from his house. Her mother could not survive the shock—but the young girl became a *mother!* and she lived for her child's sake; whom she brought up in tears and sorrow. Since that period, the officer has become a wealthy and powerful nobleman, (for the blood of our countrymen is richly paid by the tyrant Philip,) and was he now to hear this old story, hardly would he recal to mind one of his youthful follies; but his son grew up in hatred and abhorrence of the power which sported with the heart's-blood of the people.

"But the mother—the excellent mother, has never ceased to pray that God would be merciful to the sinner; and protect the helpless offspring of that crime, of which she was the innocent victim.

"To day her son perishes for calling upon his coun-

trymen to assert their rights! He will die with the satisfaction of having fulfilled his duty to his mother and to his native land. I am he! My mother is in prison, and the author of her injuries and of mine, sits honorably by your side. The Lord Mendragore, he is worthy of thy example! I have no more to say, but that I am prepared to quit such a world of crime."

Having thus spoken, the youth looked round with undaunted courage.

"It is a calumny, my lord!" exclaimed Mendragore.

"Silence!" replied the duke, "can any credit be given to such as these?" and turning to Jehan, he said, "My fine speaker, you have, at last, finished. It is my turn to address you, but in few words. My word is pledged for thy mother's release, and now, noble Castillian, it shall be fulfilled. Thy mother shall be set at liberty, and have the thousand florins—that is not too much for the head of her son.

"In one hour, thou shalt be executed—thy mouth stopped for ever, and see which of *thy* people, will dare to attempt thy rescue. A hundred men shall guard him; and *thou* Mendragore, shall command the execution, since he has noble blood in his veins, he deserves to be treated with respect—lead him forth!"

An hour afterwards, Jehan's head rolled at the feet of the executioner. The people saw it, *and were silent!* Jacqueline died the very same day; her life was bound up with that of her unfortunate son.

The following year the Duke of Alva quitted Belgium, loaded with execrations*.

There were many satirical songs written against this

* "Chronicles of Flanders," by Octave Delpierre.

ducal scourge of the Netherlands, most of which have, however, vanished from public view. There is one preserved in Royal Library of Brussels, expressive of the following sentiments.

"Listen, if you wish to hear
The song I mean to sing;
A song of the old man Alva
On many curious things.

"With pomp they paid him homage,
When he visited the town;
But he ran away by night,
And left his debts unpaid.

"The old man was so cruel
That no one would serve him;
No taxes he could levy
For the people shouted out,
Vive les gueux! Vive les gueux!

"He earnestly sought peace,
But they could not take his word;
They knew him to be deceitful,
He pardoned with wheel and gallows."

We have, about the same time an ode from the pen of Van Zevecote against Spanish power, which displays all the energy and revengeful pathos which tyranny excites in the patriot's breast.

"Trust to the winds or to the unruly waves—
Trust to the ice or to a wayward child—
But never trust to those whose faith was always hollow.
They have sucked treason with their mother's milk;
More than one noble country has been by them depopulated,
Wasted, burned, and thrown into slavery.
The snow shall cease to be cold, the sun to gladden
The summer's morn, the clouds to fly through the
Air, the sea coast to have cliffs, and the fire
Burn, ere the Spaniard shall keep his faith."

JUSTUS LIPSIUS published his "Politica," about 1565. It is chiefly composed of quotations from, and references to, the works of the ancients, as Aristotle, Plato, Tacitus, &c. He was severely reproved by several protestant writers for maintaining the doctrine that heresy ought to be exterminated by fire and sword.

In 1603, JOHN ALTHUSIUS, published in Germany, a political treatise called "Politica Methodicæ Digesta," in which he endeavours to show that the supreme power of a state, must lie in its people; and likewise maintains the position, that they have the sole power of punishing or deposing their kings or princes. He was the author of several other political effusions, besides this one; but they are all based on the same principles.

Political science in Germany, Holland, Belgium, and other neighbouring countries, was, at this period, greatly influenced by theological questions, both of doctrine and discipline. There were two topics especially which bore directly upon politics; namely, magisterial power over christian churches, and the individual right which every man conceived he had to embrace whatever religious creed he thought most rational and consistent. The distinguished persons who took an active share in the discussion of these important questions, were generally men of enlarged and liberal views, well versed in civil history, and who had made the leading principles of legislation and government subjects of contemplation and study. In stating their respective tenets to the public, they necessarily had to deal, at various points of their inquiries, with matters of civil polity; and were

invariably led to adopt those theoretical views of the nature and offices of a commonwealth which were more or less in accordance with the ecclesiastical systems they each wished to have established. It was in this way that a great mass of highly important political matter became incorporated with religious and doctrinal disputes. As no two of the chief and early reformers in Germany, had been able to agree on the precise limits which separated religious from civil privileges, the controversy on the subject had always remained an open one to the protestant clergy of every denomination on the continent. Various external circumstances sometimes retarded, and sometimes accelerated and extended its discussion. The most noted of the class of writers, who embodied political with religious doctrines, in these sections of Europe now under consideration, were James Armenius, and Simon Episcopius. The former was professor of theology at the University of Leyden, and and died in 1609, leaving behind him many important works, which afterwards exercised a powerful influence over the political opinions of the Dutch clergy in particular, and the mass of reflecting people in many other states of Europe. He was the founder of the Armenian doctrines of theology, which were invariably connected with a certain class of opinions on the nature and character of all civil rights and obligations.

The works of Episcopius were published in 1650, in two volumes folio. The most important of these, in a political point of view, is his "Confessio Remonstrantium," written in 1624. This work contains, apart from the religious portions of it, many valuable obser-

vations relative to ecclesiastical rules, and the principles of toleration.

Notwithstanding the many able and profound discussions on the principles of religious freedom, they were but very imperfectly understood or acquiesced in at this period by the various theological bodies in these countries. Perfect toleration was indeed the watchword of all minorities; but they no sooner were in a position to exercise authority then they fell into the common snare, and became as bigoted and intolerant as their enemies had been. Freedom was on the lips, but tyranny still reigned in the heart. There was not a single writer on the continent who had, as yet, ventured to embrace the right of private judgment as an absolute principle of justice and expediency. Some advanced farther towards this point than others; but they all fell short, and exhausted their zeal and ingenuity in subtle qualifications and compromises. True, there was a decided change for the better in actual practice; for, after the middle of the seventeenth century, public executions for heresy, ceased in all the countries in Europe. This was one important step gained in a right direction.

"Mare Liberum sive de Juare quod Batavis competit ad Judicana Commercia, Dissertatio," Lugdini, 1609. This is a small publication on the liberty of the seas, and is well entitled to the notice of all those who write on this subject.

JOHN SLEIDAN.—"De Statu Religionis et Reipublica," 1557. This author was born in the city of Sleide, near to Cologne, towards the beginning of the sixteenth century. The catholics complain that after the author's death, a second edition of this work was

published, and all the principal facts were suppressed in it, which were in favour of their conduct and principles. The original edition was published in 1553. The work is a history of the state of religion in the author's time; and showing its bearing upon the political movements of the day. There is great shrewdness displayed throughout the work; but the political matter it contains is not of a very high value.

PHILIP DE COMINES, 1575, was a native of Flanders, and a historian and legislator of note in his day. He passed his time chiefly at the Court of Louis XI. of France; but at the death of that monarch, he was thrown into prison, and treated with great harshness. He had lofty notions of freedom, and a deep insight into the general machinery of government. The following remarks are worthy of notice.

"But should we concede that our necks are used to the yoke, that we are become familiar with servitude, shall we willingly suffer our ears to be bored to the posts of our new masters, and become slaves for ever? —Shall we court our bonds, and glory in that which is our shame? Shall we never learn to be free, and to value liberty?—Shall we never emancipate ourselves and our posterity, but entail thraldom and slavery on them also, to all generations? For so long as we draw in this yoke, our condition is the same with slaves; whatsoever is born unto us, is a vassal of our lord's—the fruit of our loins must drink of the same cup with us, draw in the same yoke, groan under the same tyranny and oppression we bequeath to them—nay, who knows but their bondage may increase, (like that of Israel's under the son of Solomon, whose little finger was heavier than his father's loins) for tyrannies

usually exasperate and wax worse with continuance? Shall we now leave our children liberty, or bonds—freedom, or oppression? If we, who have had our necks worn with the yoke, and our backs bowed down with heavy burdens, are of a crouching, slavish spirit, perhaps our posterity, if born in a freer air, and under the influences of a more benign government, may prove of more generous and noble spirits, worthy of, and knowing how to prize their liberty. But without doubt, those brave and gallant souls, by the conduct of whose valour and prudence, we have broken the iron yoke of arbitrary and exorbitant power, and (by the good providence of God) redeemed the captivity of our nation from the unrighteous bonds of our wicked oppressors, are worthy of, and know how to prize and improve what hath been purchased with so much sweat and toil, and will not in the end sell their birthright for a mess of porridge,—but leave an offspring, heirs of their own valour and gallantry, that with the utmost peril of their lives and fortunes, will defend and preserve what the labours of their ancestors have purchased with sore travail, both of mind and body, and so transmit it entire to their posterity, through many generations—till the consummation of all things, and that time shall be no more."

Joh. Gerhardus, 1608, is the author of "Centuria Quæstionum Politicarum," in which is discussed the great question as to the doctrine of toleration in matters of religion.

Hugo Grotius, "De Jure Belli et Paris," 1620. There arose up in Holland, Germany, and other neighbouring states, at the commencement of the seventeeth, and during the greater part of the eighteenth century,

a class of political writers, who have subsequently exercised a powerful influence over the general current of public opinion in Europe, relative to the nature and offices of the abstract principles of government. These writers took under their especial charge the development and illustration of the laws of nations, or, as they are often termed, the science of jurisprudence. These able and ingenious men have occupied nearly the same relative position in reference to the current polity of all nations, as the constitutional writers on English law have done in regard to the mass of scientific political authors of our own country. The erudite and abstract publications on the law of nations have laid down such fundamental principles of polity, as to serve as guides or beacons to all future generations of men.

In order to make our remarks somewhat connected and useful, we shall cast an eye backward before the days of Grotius, and likewise throw them a little forward, to nearly the termination of the last century. This will keep the subject of jurisprudence, a very important one in itself, undivided and unbroken.

The law of nations—public law—international law, or jurisprudence—is that part of section of political science, which relates to the duties of men and nations towards each other, according to the abstract principles of justice, totally independent of all considerations of positive enactments or conventional usages. This part of the science of polity sprung directly out of the scholastic philosophy; and was first regularly developed by Spanish writers, and chiefly through their commentaries on the "Secunda" of Thomas Aquinas. The increased study of the Roman law was also an important stimulant to those studies of the law of nations. The

early attempts of the kind were embodied under the general title of "De Justitia et Jure."

The study of Roman law, and the general principles of political science embodied in it, was never lost during the most gloomy periods of literary history. Irnerius is commonly understood to have been, about the end of the twelfth century, a popular lecturer at Bologna, on the systems of general polity; and at this period it was likewise the common practice, independent of oral instruction, to make short commentaries or glosses, (γλωσσω), which explained the meaning of difficult or obscure passages in the Roman and other systems of jurisprudence. This learned man was the author of an epitome of law called "Authentica," containing the "Novels" of Justinian, arranged in conformity with the titles of the "Codes." The successors of Irnerius were Martinus Gosias, Bulgarus, and Placentinus. The last author wrote a summary of the "Code and Institutes." Another one appeared in 1220, by Azo. Hugolinus made an abridgment of the "Pandects." But the most distinguished author of the times was Accursius, who made a collection of the "Glosses," under the name of "Corpus Juris Glossatum." In 1306, the inhabitants of Bologna decreed, that the family of Accursius, should enjoy all the civil honours of the victorious Guelf party, in grateful remembrance of one "by whose means the city had been frequented by students, and its fame had been spread through the whole world."

In the fifteenth century, Bartolus and Boldus, were able and distinguished scholastic jurists. The writings of these authors having held a conspicuous place in all the public seminaries of legal education in Europe.

Proceeding down to the sixteenth century we find

Ulric Zasius, a professor at Friburg, and Garcia d'Erzilla, as zealous and able cultivators and expounders of the principles of abstract polity. Andrew Alciati, of Milan, was likewise an eloquent writer on the subject. He taught at Avignon, Milan, Bourges, Paris, and Bologna, between the years 1518 and 1550. Erasmus praises him very highly, and says he was the most jurisprudent of orators, and the most eloquent of lawyers. Antonio Agustino, a Spaniard, published his "Emendationes Juris Civilis," in 1544.

At the commencement of the sixteenth century we have a few authors of celebrity on the science of general law. Fabre of Savoy, and Monochius are well known, so likewise are Conringius of Helmstadt, and Zouch. But Saurez, the Spanish writer on legislation and morals, is by far the most profound and systematic of this class of writers.

GROTIUS' treatise, written at the suggestion of Lord Bacon and Peirsce, came very opportunely, after the eve of the great slaughter on account of opposite judgments on political topics. Its grand object was, therefore, to teach sovereigns and states the useful and humane lesson of being guided by sound principles of reason and religion, either in commencing or in carrying on a system of warfare. There are no scientific principles, properly so called, in the author's work; but he makes direct and powerful appeals to the most ancient and distinguished historians, orators, poets, philosophers, divines, schoolmen, and both ancient and modern lawyers and civilians, of all kinds and shades of opinion, and of all nations and ages; and these appeals are in favour of the principles of reason, justice, toleration, and personal freedom.

From the peace of Munster to the French Revolution of 1789, these writings of Grotius, and his disciples and commentators, prevailed over almost every other of an abstract and political character. The reason of this was, that they enter profoundly into all the first questions of scientific polity. The origin of governments, the end and object of them, the right of resistance to authority, the rules for limiting the privileges of both rulers and people, and the numerous modes in which the great principles of moral and religious obligation modify the absolute maxims of law and justice; these, and many other topics of great speculative interest, are developed with singular acuteness and force of reasoning. And, to show the influence of these writings on the general current of political thought in Europe, we have only to cast an eye over the chief systematic treatises on politics, from the days of Grotius to the end of the last century, and even to the present day, and we shall perceive how firmly many of the primary maxims of his philosophy, have become established in the every-day creeds of politicians and statesmen.

The reasons for the publication of this great work, the author tells us, were these: "I saw in the whole christian world a license of fighting, at which even barbarians might blush; wars begun on trifling pretexts or none at all, and carried on without reverence for any divine or human law, as if that one declaration of war let loose every crime. * * * * Let, therefore, the laws be silent in the midst of arms; but those laws only which belong to peace, the laws of civil life and public tribunals, not such as are eternal, and fitted for all seasons, unwritten laws of nature, which subsist in what the ancient form of the Romans denomi-

nated 'a pure and holy war.' * * * I have employed, in confirmation of this natural and national law, the testimonies of philosophers, of historians, of poets, and, lastly, even of orators; for they are apt to say what may serve their party, their subject, or their cause; but because when many, at different times and places, affirm the same thing for certain, we may refer this unanimity to some general cause, which, in such questions as these, can be no other than either a right deduction from some natural principle or some common agreement. The former of these denotes the law of nature, the latter that of nations."

Grotius maintains, that the origin of society may be traced to the simple, but powerful, principle of sociability implanted in human nature. "Among things common to mankind, is the desire of society, that is, not of every kind of society, but of one that is peaceable and ordered according to the capacities of his nature with others of his species. Even in children, before all instruction, a propensity to do good to others displays itself, just as pity in that age is a spontaneous affection." The natural laws have for their object the preservation of this social state, and they are the offspring of the moral constitution of man, and cannot be considered in a philosophical sense, at least, as separated from it. No law can be entitled to the epithet *natural*, unless it be in accordance with some well-defined expression of common feeling and sympathy manifested by our fellow-men.

This brings the author to the question, are these laws of nature fixed, unalterable, or eternal? These laws are called the *dictates of pure reason*, pointing out a moral guilt or rectitude to be *inherent* in any action.

They are so immutable that the deity himself could not alter them. Grotius, however, qualified this position in after life, by maintaining that if the deity should command any one to be killed, or his property to be taken from him, this would not render murder or theft lawful; but being commanded by him who is the source of existence and life, it would cease to be murder or theft.

Positive law, Grotius divides into human and revealed. The former springs from communities of freemen, and derives its validity and power from the consent of all or many nations, and which is also supported by continual usage, and the authority of the learned in all ages and countries. The revealed law he subjects to the same division; a great portion of it being directly confirmed by scripture declarations, and much likewise by the law of nature—all revelation having a distinct reference to the principles of human action, passions, desires, and interests.

What are called *Rights*, or the *Rights of Man*, Grotius considers under two points of view—the one class perfect, and the other imperfect, rights. Here, however, the learned author falls into some confusion, chiefly from the confined view he has taken of these rights, and merging them in matters which properly belong to morality, and the prudential affairs of common life.

War, one of the leading topics of discussion in his treatise, is considered neither to be unlawful by the law of nature nor of revelation. His arguments and proofs from authority are very voluminous on this head. We must refer the reader to the work itself. Resistance to constituted authorities he holds to be

unlawful. He speaks of kingdoms and nations being alienated in the same tone and manner in which we speak of private estates passing from one person to another. He qualifies a little on this point, by affirming that where a government is founded on a popular basis, it does not come within the rules of ordinary alienation. The right to resistance he strictly limits to self-defence—that is, when a people see their destruction inevitable, they may then oppose the reigning power or prince; but mere negligence or ill-management is not a justifiable motive for rebellion.

The right of self defence, whether considered in a national or individual point of view, is one of the most vital, but embarrassing questions the author has to discuss. On this head he has, in reality, added nothing to that which was known and admitted by other distinguished writers before his day. But he has stated his case fairly and ably, though he has not proved himself equal to the inherent difficulties of the question.

The following important topics are discussed in other parts of the work. The right of occupancy; rights over persons, by generation; by marriage, and by commonwealths; the right of alienating subjects; rights of property, by positive law, promises, contracts, and promissory oaths; the engagements of kings towards subjects; public treatises, and their interpretation; of ambassadors, and their duties and privileges; of insufficient causes of war; duty of avoiding it; of allies and strangers; rights of war, and the rules and customs of nations respecting them; declarations of war; rights of nations over their enemies, prisoners, and slaves; the moral limits to the

rights of war; and of treaties and truces. The other works of Grotius are not destitute of political importance. The treatise "Pietas Ordinum Hollandiæ," 1613, maintains the doctrine that magistrates have the right to repress the circulation of dangerous controversial works. A few years afterwards he published another book of a similar character, called "De Imperis Summarum Potestatum circa Sacra," in which the several limits of civil and ecclesiastical authority are more fully and systematically defined, than in any other of his treatises.

Various and conflicting opinions have been entertained by philosophical critics, on the general merits of the works of Grotius, and of his numerous commentators and disciples. The late Professor Stewart seems to have formed a very low estimate of their value. He says, "Notwithstanding all their industry and learning, it would be very difficult to name any class of writers, whose labours have been of less utility to the world*." On this passage, an able critic in the "Edinburgh Review," makes the following observations, "It would be more just, in our opinion, to have said, that notwithstanding the mediocrity of their general talents, and their frequent offences against the order of science, it would be difficult to name any class of writers, whose labours have been of more utility to the world. To promote the civilisation of mankind, by contributing to diffuse a reverence for the principles of justice, is certainly far more useful to the world, and (if that inferior object were worthy of notice) indirectly even more useful to science itself, than to make any addition, however splendid, to the

* Dis. p. 131.

stock of human knowledge. A class of writers, remote from power, without sympathy for ambition, and happily disabled by inexperience from making allowance for the real exigencies of state necessity, addressing themselves to the great body of readers, similarly circumstanced and disposed with themselves, and expecting all their credit and popularity from the approbation of that important and daily increasing body, became necessarily the advocates of liberal principles, and the preachers of strict justice between all nations. In this manner they became, as Mr. Stewart states, the forerunners of the beneficent science of political economy—spreading the same spirit which it breathes, and reaching, with a sort of practical coarseness, some of its results—though their reasonings did not, we conceive, lead by any logical process to the establishment even of its first principles. The connection is rather historical than philosophical. But at all times they carried on that avowed war against the policy (we think harshly) called Machiavellian, which was solemnly declared by Grotius in almost the concluding sentiment of his work, "That doctrine can have no permanent utility which renders man the enemy of his fellow-men*."

PUFFENDORF.—"Elementa Jurisprudentiæ Universæ," 1660, "De Jure Naturæ et Gentium," 1672. This author is commonly considered as a mere writer on the more subordinate doctrines of jurisprudence; but those who will examine his writings will find that he treats of the general principles of government with great ability and acuteness. His notions as to the origin and nature of civil society, are illustrated in

* Vol. 27, p. 232.

the seventh book of his works. Puffendorf maintains that all societies of men take their rise from a powerful principle of *sociability* implanted in human nature. Every man is deeply impressed with an idea of his own weakness and insecurity; and, therefore, he is induced, from motives of interest and comfort, to confederate with his own kind. But in order to confer validity upon all such social and political confederacies, a *covenant* must be formed by a number of men, each with each, and the majority must bind the minority. This being done, the next act, which also implies a covenant, is to resolve and decree who shall be invested with political power over the community. Here another covenant is necessary between the person or persons invested with power, and the community who have to obey. Out of all these mutual agreements, a number of duties and rules of conduct are derived; and it is from the right understanding and fulfilment of these, that a state becomes great, powerful, and happy. When a community is thus formed, it is necessary, in all discussions and reasonings about it, to consider it as one person, having only one will, which is represented by the individual or individuals, in whom the sovereign power is vested. This sovereignty is always considered to be based upon the covenants previously entered into; and the author maintains that this sovereign power can never be supposed to be divined by the almighty, except in that comprehensive sense in which it may be said that all things are divined from his creative power and goodness.

On the important political doctrine, that no member of a community should be allowed to perish of want,

Puffendorf makes the following observations. "If any one, by no fault of his own, shall be in want of food and clothing and struggling against a dearth of the necessaries of life, and shall be unable by offering money, by entreaties, or by offering to work, to obtain assistance from the more rich and affluent, then, in that case, he may obtain them either by force or stealth without being held guilty of theft or robbery, especially if he intends, when he is able, to make restitution of the amount of what he shall take*."

Puffendorf's ideas of the rights of sovereigns are of the most absolute kind. He expresses himself unfavourable to all mixed modes of government. The sovereign power should be irresponsible; and must not be bound by the law which itself has promulgated. Here the author displays great weakness of argument, and falls into numerous inconsistencies in his reasonings. He denies that all governments are designed for the public good; but if even this were their true and legitimate end, he affirms that this is more likely to be perceived and promoted by a single person, than by a multitude†. All this is manifestly delusive, and contrary, as Mr. Hallam very justly remarks, to the nature and purposes of covenants, which the author is so careful in laying down as the groundwork of all social institutions. All covenants presuppose reciprocal duties; and when these are violated, the original

* "Si quis præter propriam culpam, in extrema inopia victus aut vestium, adversus frigus necessarium versetur neque ab aliis locupletioribus atque abundantibus, precibus pretio aut oblata sua opera, ut ultro sibi illas concederent impetrare potent; citra crimen furti aut rapinæ, vi vel clanculum illas subducere poterit; præsertim si intentionem habuerit eorum æstimationem præstandi quando occasio oblata fuerit."—*Puffendorf*, book i. cap. 5, sec. 13.

† Chap. 6.

state of things must again return. Hence it is, that the author falls into inextricable difficulties, by maintaining that however tyrannically a king may conduct himself, he never can be justly punished by his people.

The author says that sovereignty over persons can never be acquired by violence or occupation, as in the case of lands or houses. To constitute allegiance a consent to obey must be obtained from the subjected parties, otherwise their right to throw off the foreign yoke whenever they can, remains with them. On the other hand, a subject may throw off his subjection to a prince, by voluntarily removing to another state; providing no law or custom intervene. No state can have the power to expel a citizen from his country without he has committed some offence. It loses all authority over a banished man.

JOHN BARBEYRAC.—"Law of Nature and Nations," 1720. This author was the translator of both Grotius and Puffendorf's treatises; and is pretty well-known to most English and French readers on general polity. His views of governmental questions, though not always profound and unexceptionable, are, nevertheless, clearly and succinctly stated.

CHRISTIAN WOLFF, published at Berlin, in 1752, his "Law of Nature," in eight volumes, and near about the same time, his "Law of Nations," issued from the press. This work is heavy reading; and the great leading maxims of general polity which it aims at illustrating, are far from being treated in that plain and perspicuous style, so much required for general readers, and youthful students.

EMER DE VATTEL.—"Droits des Gens, ou Principes

de la Loi Naturelle," 1758, "Questions sur le Droit Naturelle," 1762. This author was a native of Neufchatel, but resided chiefly at Dresden. He differs on many points of importance from Grotius and Pufendorf, and generally prefers the English political writers to any other. "Vattel," says Sir James Mackintosh, "deserves considerable praise. He is a very ingenious, clear, elegant, and useful writer. But he only considers one part of this extensive subject (jurisprudence), namely the law of nations, properly so called; and I cannot help thinking, that, even in this department of the science, he has adopted some doubtful and dangerous principles, not to mention his constant deficiency in that fulness of example and illustration, which so much establishes and strengthens reason*."

JEAN DE MARNIN.—"Resolutions Politiques," Bruxelles, 1629. The author of this work commences by showing what constitutes political science. His position is, that it is grounded upon a close and accurate examination of human nature. Another general axiom which lies at the root of his system, is that religious sentiment is indispensable to political prosperity and greatness. He likewise attempts to demonstrate at considerable length, that the only satisfactory mode of testing the value of any particular system of legislation, is by having recourse to experience, rather than to mere abstract or *à priori* principles.

THEOD. GRASWINKELI, wrote, in 1634, a thick volume against the opinions of Squitinio, as to the nature and influence of the Venetian Republic. The Dutch work is rare, and somewhat heavy reading. It contains twenty-four chapters; and besides aiming at an an-

* "Discourse."

swer to the Italian writer, there is a great portion of the discussion occupied with an examination into the leading principles of general polity.

GUILLAUME WILLAERT.—"Cinquante Discours de Metiers d'Estat," Bruxelles, 1632. This treatise discusses pretty fully all matters touching the government of a state. Princes are admonished not to irritate their subjects, but, on the contrary, it is a wise and prudent course to grant their reasonable and just claims, before public excitement has gained so much strength, as to jeopardise the interests of the state in repressing it. This is not, however, a work professing to discuss the abstract principles of politics, but simply to contrast the modern plan of governing nations, with the principles of legislation acted on in ancient times. The sixth chapter of the second book is especially worthy the attention of the theoretical politician.

CLAUDE SALMASIUS.—"Librorum de Primatu Papæ," 1642. This is a voluminous and learned work on the power and authority of the pope. He was likewise the author of "Defensio Regia pro Carolo I." a work which created a good deal of discussion and interest in England, as well as in other countries of Europe, and which was formally and vigorously answered by the immortal John Milton.

Salmasius was, at this time, one of the professors of the University of Leyden, and a man that enjoyed the reputation of being one of the most profound and learned of his day.

The author takes high ground as to the nature of *divine right*. "A king," says he, "what is a king? Plainly he whose is the supreme power in the state; a power beholden to none but God, to whom alone the

king is obliged to render a reason of his acts, and to none besides; he who may do what he likes, who is exempt from laws, who gives laws but receives none; and hence judges all, but is himself judged by none." He fortifies this position by an immense number of authorities, drawn from all ages and nations. "So of old," says he, "judged the east, so the west. In the regions of the north and the south, wherever kings reigned, their subjects had no other opinion, no other custom. Assyrians, Medes, Persians, Jews, Greeks, Pagans, Christians, thought thus." The author likewise quotes William of Malmesbury, Matthew Paris, Gervasius, and even endeavours to strengthen his arguments from Aristotle, Tacitus, Juvenal, and other ancient writers and politicians. In the tenth, eleventh, and twelfth books, he enters upon the character of Charles, and the various proceedings of the party who procured his death*.

Peter Du Moulin, (the younger) "Regii Sanguinis Clamor ad Cœlum," Hagæ, 1652. This work is written in condemnation of the death of Charles I., and in opposition to the sentiments previously published by Milton, on the same subject. Moulin charges the poet with not being able to produce a single person of note, with the exception of a Scotchman of the name of Knox. Milton retorts by saying that he had on his side the authority of Calvin, and many other eminent divines of the reformed churches†.

Melchior Inchofer, this writer was a native of Vienna, and became a member of the Jesuits' College in Rome. In 1550, his "Monarcha Solipsorum," which is a severe satire upon the politics of the disciples of

* Defen. Regia, c. 2. † Milton's Prose Works, vol. ii. London, 1806.

identity of the individual with the species; and enchains him by a thousand ties.

In the preceding observations we readily detect the two points of view under which history may be considered; namely, the objective and the subjective. In the first, history appears to us as an entire predetermined thing; it seems far removed from the influence of voluntary power; and to be blind, stripped of consciousness, inflexible in its determinations, and completely analagous to what we commonly denominate *destiny*. Under this aspect history displays a perfect system of fatality. In the second point of view, when we are occupied with the subjective, that is to say, human activity, a thing essentially free and modifying, history seems to us nothing more than an assemblage of phenomena, produced and following each other by chance, either in time or in space. All order, regularity, and providential dispensation, disappear; chance is the only sovereign, the only god of the universe. To arrive at the fundamental idea of history, however, we must raise ourselves above these two points of view; then we shall see both necessity and chance left in the distance. Providence will now take their place; or rather, we should say, chance and fate, acting in a restrained circle, always determined themselves, shall remain for ever chained at the foot of the throne of an eternal and superintending providence.

It is necessary to recognise in history a progressive and continued manifestation of the absolute; in other terms, history is still nothing more nor less than a permanent revelation of the deity's will to man. In history the almighty does not appear personally pre-

sent in all his infinity; but in history, God acts, determines, and incessantly reveals—sometimes by events and incidents which receive their full consummation at the present time, and some only to effect their purposes, in some future ages of the world. But if history be the manifestation of the absolute, as that manifestation is successive, what is done in time, is susceptible of being divided into many secondary epochs.

This progressive development of the absolute in time, or in other words, historical times, can be divided into three periods; the first is termed *fatality*, the second, *nature*, and the third, *providence*. In the first, the reigning principle displays itself as a blind, inflexible, unrelenting power; a power to which men of all countries and languages have given the name of destiny or fatality. It may, indeed, be termed a tragic epoch of history. During its reign the memorials of man's primitive civilisation have been destroyed; and immense kingdoms, with their countless millions of people, have passed completely out of sight. In the second period, appears nature. Under the sway of this law, liberty of action, and unlimited powers of will, are made to accomplish the plans and designs of nature; and a sort of refined mechanism is introduced into the incidents and movements of history. At this period, the Roman republic commences. There is the human will and power displayed in the mighty achievements which are made, and the undertakings which man's pride and ambition suggest. At the moment all the people of the earth, are, as it were, connected by one bond of union; then again, in the course of time, Roman power feels itself in contact with other

nations, to whose laws, government, customs, and knowledge, they had previously been entire strangers. Here it is that we recognise the hand of nature; whose constant effort is, to produce among all men a common bond of union and action. In the third period we have the manifestations of providence. Now, the works of destiny and nature, receive a fresh character; showing themselves as works in which an all-seeing, all-wise, and provident being has a direct share. The two preceding epochs were, in truth, only a preparation for the display of providential power; the first dawn to usher in the glorious effulgence of the divine day. The time when this day shall arrive, no one knows. Under these three names of destiny, nature, and providence, it is necessary to recognise the same individual principle, which is always identical with itself, but displayed to man under different phases, namely the *absolute*.

At the point of departure of humanity, we recognise the notion of right; and at the end or consummation of it, we fully realise this notion. These are the two columns of Hercules through which we must pass. There will be an amalgamation of all people into one people, and all states into one state; in which we shall recognise no rule or law but that good, just, legitimate, and regenerated right. This will form the throne, and the external symbol of the realisation of the ideal notion of right in all its comprehensiveness and universality. But when shall man be empowered to run this glorious career? what impulse shall he obey? Shall he obey the dictates of his own will, or be subjected to a foreign influence? Is he really free, and independent? or is he merely an instrument in the

hands of a foreign master? Here is the commencement of difficulties.

Intoxicated with the sentiment of liberty, man reigns upon the earth as the sovereign and absolute lord of all; but before his steps, a stern and inflexible necessity indicates, with its finger, its supreme authority.

To conciliate this apparent contradiction, it may, perhaps, prove useful to borrow a symbol from the material universe. Physical movement appears, then, to be considered as a type and symbol of the moral, intellectual movements of humanity; the intellectual movements seem even assimilated to material forces. Now, every movement occasioned by the impulsion of another force, always disturbes two other forces; the combination of the two forces characterises the path traced out by this movement. In this, motion obeys an uniform power composed of two forces; the one forms a providential force, which, from its point of departure, verges towards an indicated end or object; the other, humanity, which is inspired with the absolute freedom of will or activity. One of these powers will represent necessity, which is immutable and eternal; the other will represent liberty, which is spontaneous, variable, and accidental. But as we have said, both forces are confounded in another, which is superior to both, and which make both produce one effect; and that effect is the good of civil society; the grand end of political philosophy.

Such is the political system of Leibnitz, as developed in his various philosophical works. Its great influence over the speculations of subsequent continental writers will appear more obvious when we

come to examine the theories of modern date; more especially those which have been propounded in the States of Germany within the last century.

The political writings known in Hungary, Bohemia, Moravia, and Galacia, before the termination of the seventeenth century, were very scanty. In the several collegiate institutions of these kingdoms, translations of Aristotle's *politics* were commonly made text-books, and were more or less in use among the professors of law, moral philosophy, and doctrinal divinity; but the range of political speculation was here extremely limited. There were several writers in the sixteenth century who treated of such civil rights and privileges as the people in these respective countries then enjoyed; such, for example, as the rights of the nobles and peasants in Hungary, whose mutual contentions gave rise to great commotions about a couple of centuries ago. But in these sections of Europe, politics, as a science, were almost entirely unknown, even by name, till the commencement of the last century.

In the sixteenth century there were several political writers in Poland. Andreas Patricius, collected the scattered fragments then known of the "De Republica" of Cicero, and wrote a learned preface to them.

Gozliski.—"De Sanatore Perfecto," 1550. This Polish author was chancellor and prime minister to Sigismund II., and was distinguished throughout Europe for his political writings. This work excited great attention among theoretical politicians in Italy, Germany, France, and England. It has been supposed by some critics that his "Accomplished Senator," was chiefly taken from Cicero's "De Republica," a copy of which, some chronicles affirm, was

known to be in the possession of a Polish nobleman, in the fifteenth century, but which was unaccountably lost. There is, however, little foundation for the opinion that Gozliski ever saw the work of the celebrated Roman; though there is, unquestionably, a striking resemblance between many of the passages of the Polish philosopher's treatise, and some of those scattered up and down the six books of the "Republica." This resemblance may have arisen from the simple circumstance, that Gozliski had paid great attention to the Grecian political theories; and had, in fact, regaled himself at the same fountains, at which Cicero himself had drunk deeply*.

On the general principles of the several kinds of governments, we find the following observations, from this Polish writer. "Monarchy or kingly government," says he, "is very aptly represented, according to Aristotle, by the power and authority which a father has over his children, whose office it is to be careful of, and watchful over them; to provide for their sustenance and welfare; and whenever they are disobedient and wicked, to reform rather than to punish them. * * * * Plato subdivides this kingly government, and says there are two sorts of kings; one *limited*, and bound to the observation of known laws and statutes, the other *absolute*, and under no legal check or restraint. The government of a single prince, says he, well-informed in the knowledge of wholesome laws, and duly restrained to the observation of them, is of all other political forms the best and most eligible. * * * * Some have been of opinion that the best settled constitutions consist of three

* "De Sanatore Perfecto," was translated into English in 1733.

orders and degrees of men in power; and accordingly that the Lacedæmonian state was well-formed and constituted; because all power therein was divided between a monarch or king; a senate or body of nobles; and the people, represented by their ephori, who were elected out of their own body. Polybius extols the Roman government above all others what soever, because it consisted of a king, senate, and people. The powers were so well tempered and mingled together that the king could not fly into tyranny and insolence for fear of the people, nor the people despise and insult their king for fear of the senate. This sort of government hath ever been reputed, and with very good reason, to be the best conditioned and most excellent; for as it is in music, whether vocal or instrumental, where a multitude and variety of distinct and different notes are put together, in order to make just and true concord; so, from an agreement between the upper, middle, and lower order of mankind, arises that true political concord which answers to harmony in sounds, and which is cemented and held together by what it naturally produces—the common good and welfare of society."

According to the views of Gozliski, party spirit in a state, when it runs high, is a great bar to the progress of sound and comprehensive political information. On this point, his English translator, Oldisworth, makes the following pertinent observations. "Gozliski wrote at a time when the world was unacquainted with parties which have since harassed and perplexed other estates and nations beside our own. Nothing, therefore, that he has said can be suspected of the least tendency towards what himself hath condemned in

general with so much vigour and zeal. When parties are silent is the time for him to be heard, not only patiently but with regard and deference. If any fresh seeds of discord are now sown, or any new fires to be kindled, and if party, our old inveterate enemy, is once more preparing to visit us under a new name, and in another shape, Gozliski's precepts and institutions, are an admirable prescription for preventing the rise and growth of such a public malady; and by fixing our minds on the one great fundamental principle, the *love of our country and the common good*, will divert us from all disputes and debates, unless upon this one thing necessary, and which alone can justify us in our dissentions and disagreements with our fellow subjects."

Gozliski makes an important remark or two on the mode of taking the suffrages of the people, for the election of magistrates or senators. "Let the electors," says he, "depend altogether on the general judgment, the fixed and established opinion, and the experience which the best and wisest of their fellow-subjects have of a man's character. An established character, which is well supported by the prevailing and concurrent testimony of the best and wisest members of society, is the very height of glory, and the noblest qualification for all the honours our country can bestow upon us; while the popular *urn* or *ballot-box* is only one of blind Fortune's tools and instruments, by which she deals out honours and offices, in a loose uncertain way, and scatters them at random, without reason and without judgment."

There were several works published in Poland on general polity, previous to the year 1700. The most of these were, however, mere abstract and academical

productions, treating of the principles of civil law, in conjunction with the ordinary maxims of moral philosophy.

From the close of the twelfth to the half of the thirteenth century, Denmark boasts of a number of learned men. But after this time literature and mental inquiry fell into a state of almost utter neglect, till about the middle of the fifteenth century. A few years after, the university of Copenhagen was founded, and, in a short period afterwards, the art of printing was introduced, which roused the dormant faculties of the nation. This made way for the introduction of the religious and political doctrines of the Reformation; and from that date to the present hour, there has been a gradual, though somewhat fitful, progress of liberal and enlightened views of political science in this country.

Soon after the establishment of the university, in 1478, we find, from some college class books, that the general polity of nations was studied in Denmark; but the range of subjects, and the manner of treating them, were very meagre and circumscribed. Some years afterwards the university course of studies took a more wholesome and efficient direction, under the government of Christian IV.; and historians tell us, that he was particularly anxious that enlightened views should be entertained and disseminated of the great principles of citizenship, by direct investigations into those subjects involved in the comprehensive motto which encircled his crown, "*Salus populi suprema lex.*"

It appears, however, that the liberality of this prince in giving a political direction to the youthful studies

of the community, did not meet with the countenance and approval of the landed aristocracy and the high church party. A hostile opposition was speedily organised; and it succeeded in giving a powerful check to the political writings of the day. The famous Tycho Brahe was sent into exile for the liberal cast of his political sentiments; and the Rev. Anders Sorensen Vedel, the editor of a collection of popular ballads, which breathed an air of freedom considered dangerous for the time, was deprived of his situation as royal historiographer; and several other distinguished men and ministers of religion lost their situations, and were doomed to linger out their existence in penury at home or abroad, for having expressed their political opinions too freely in their several writings. At the Revolution of 1660, political inquiry received a severe check; for the Danish people invested their sovereign with absolute power, and, in words the most emphatic, expressly declared that he was accountable only to Him to whom all princes and rulers are accountable.

After this suicidal act, enlightened and liberal investigations into political science were out of the question. Ole Rosenkrants ventured, however, to publish his "Apologia Nobilitatis Danicæ," in which he ably contended for the elective in opposition to an absolute monarchy; but for this bold act he was fined 20,000 rix dollars, besides incurring the royal displeasure. Professor Nold was likewise removed from his chair of divinity, for some liberal expressions on public freedom inserted in an elementary work on logic. This severe repressive policy prevailed to the end of the seventeenth century.

About the year 1600, Nicholas Kraagius, pub-

lished in Denmark his "De Republica Lacedemoniorum," and displayed in his other writings a very enlightened view of the nature and objects of civil society. From the establishment of the university of Copenhagen, till the end of the seventeenth century, we find about forty treatises on politics, published by professors of this seat of learning; many of these works being, however, only short dissertations on some particular branch of legislative science, or general class-books for academical purposes. The politics of Greece and Rome seem to have been always standard themes with the Danish *savans*; though they did occasionally think for themselves, and propound their own views of legislative principles of government. In one of these works, published at Copenhagen in 1601, we find the following enlightened remarks on the mutual relationship subsisting between the kingly office and the people. "Compulsory obedience, advanced by the transcendent power of prerogative, is invariably too weak to support of itself the right of government. It is the affections and estates of a community, bound with the threads of obedience by the rules of wholesome laws, that impart safety and perpetuity to a crown. In the experience of bygone ages, and in the reigns of the most powerful monarchies, this has been fully tested to be the most sovereign preservative against the diseases of popular tumult and confusion; demonstrating to the world that the true honour and glory of every throne is to command the respect and goodwill of the people at large."

The civil and religious principles of the Reformation soon found their way into Sweden, and received the support and confidence of Gustavus Vasa, in 1527.

Before this period, there had been taught, at most of the universities of this country, a liberal and enlightened system of political philosophy, chiefly from the writings of the Greek and Roman philosophers, incorporated with many principles of personal freedom growing out of the peculiar habits and customs of the northern nations.

There were several political disquisitions published in this country at the end of the sixteenth century. The politics of Aristotle were published in 1577; and Gothus, a professor of theology, discussed the connexion subsisting between ecclesiastical and civil law. Several small works issued from the university of Upsala, at the commencement of the next century, on the general polity of nations; but down to the period of which we are now treating, there was no regular treatise on politics, as a complete science, written in the Swedish tongue*.

* See Note E, at the end of the volume.

CHAPTER VI.

POLITICAL LITERATURE OF SPAIN AND PORTUGAL, FROM THE YEAR 1400, TO 1700.

THERE was no country in Europe in which politics, as a science, underwent a more general investigation and scrutiny, within the period we are now treating of, than in Spain; a country which we have been led from infancy to consider as the most dark and bigoted among civilised nations, and the most unsusceptible of political illumination and improvement. We invariably consider it as a kingdom doomed to utter speculative darkness, and as having no resources within itself for legislative discussion or renovation, even of the most rudimental character. The bigotry of the priesthood, and the tortures of the inquisition, are ever before our eyes; and yet, strange to say, it is among some of these very inquisitors, that we find many elaborate treatises on the abstract principles of government, displaying a freedom of inquiry, and a degree of talent and learning, which would do honour to any country possessing the most tolerant spirit, and enjoying the most unfettered exercise of political rights and privileges. The fact is, there is no want of political knowledge of a philosophical stamp in Spain, but it must be confessed that it stands prominently contrasted with other neighbouring nations as

singularly deficient in that *practical* freedom, which is justly considered as indispensable to the true happiness and prosperity of every community.

Looking at the Spanish mind, from an intellectual point of view, it cannot be considered a barren or stupid one. On the contrary, it is full to overflowing, with rare and rich materials. And we venture to affirm, that in no part of human speculation, has there been manifested more logical skill in arranging, and a greater ability in handling general principles, than in the scientific works of the Spaniards on politics and jurisprudence. No small portion of casuistical reasoning will doubtless be found incorporated with many of the very best treatises on these subjects; but still there is such an abundance of rich and sterling matter throughout their pages, that we are left without any reasonable cause of complaint. All these political disquisitions possess a distinctive character. They all discuss politics through the medium of the christian dispensation. This consideration may seem, at first sight, to imply a contracted and narrow foundation; yet the reader will find many able publications far removed from theological bigotry and intolerance.

This theological bias, impressed upon all the Spanish dissertations on political questions, arose from the great and predominating influence of the scholastic writings of Thomas Aquinas. All the leading teachers in the universities of Spain were devoted Thomists; and as the speculations of this celebrated writer were of the most profound and varied kind, there was scarcely any topic of human investigation that his numerous and zealous disciples did not attempt to harmonise with his peculiar dogmas and principles. Politics being a fruit-

ful subject of discussion and interest, naturally became impressed with the spirit of his philosophy. This spirit was characterised by extreme subtility and refinement, and a strong and perpetual tendency to foster casuistical and paradoxical reasonings on human life, and on the numerous and complicated relations which subsist between man and man in a state of social aggregation. Hence arose a vast body of abstract speculation on legislation and government, the great mass of which was unintelligible to all save to the few who were in some measure conversant with the "angelic" doctor's ideas on metaphysical, moral, and theological doctrines.

To attempt to unlock the hidden mysteries which lie at the root of all Spanish disquisitions on political matters, would be a hopeless and unprofitable task. We should have to wade through one huge folio volume after another, till the ordinary duration of human existence became absorbed in the inquiry. But there are two or three prominent points in the philosophy of Aquinas which we shall attempt to present before the reader's eye, and which may, perhaps, afford him some little assistance in comprehending the leading object which most of his disciples, in this part of Europe, have been desirous of establishing, in their several treatises, on the fundamental principles of general polity.

There are, we conceive, two leading ideas in the political views of Aquinas;—the one relates to power or authority relatively to God;—and power or authority, relatively to individuals.

The manifestations of power emanating from, and constantly depending upon deity, are evinced in the production and security of *order* and *harmony* in the

body politic. Political power is the same in its primordial essence as physical power; and the moral universe could no more exist without its constant presence and conservative influence, than could the material universe without the presiding care of that infinite intelligence, by whom it was at first called into being. The several communities of human beings scattered over the face of the globe, may be compared to the several divisions or sections of the physical world;—all having their separate offices to perform towards the production of a general result; but all radiating from a common centre of wisdom, justice, and right. The moral attributes of the supreme intelligence are the active influences which secure all the benefits which flow from the social and political associations of men, and which could never be possibly realised, unless they were constantly under the vivifying power of this divine emanation.

All human authority, of whatever kind, is a delegated authority from the divine nature. Except this authority be regulated in a certain manner, and be brought to bear upon all civil and legislative proceedings—except the wisdom, and justice, and right, and humanity shadowed forth in the divine character, be transferred to all social institutions—there can be no solid foundation for them, and anarchy, misrule, and confusion, must be their inevitable doom. The channels through which the moral attributes of deity shed their influence, so to speak, on the legislative institutions of men, are those, and those alone, which it is the express province of theology to institute and prepare.

All the several branches or departments of political

Loyola, was published, but after his death, which took place in 1648.

NICHOLAS SANDERS, a native of England, born in 1527, published at Louvain, in Belgium, "De Visibili Monarchia Ecclesiæ," in 1651. The work has for its aim to establish the political and religious supremacy of the pope. It is an able treatise of its kind.

VOET GISBERT.—"Politica Ecclesiastica," 1662. This author was a Dutch theologian, and a man of considerable learning and ability. The principles embodied in the above treatise, are chiefly those which show the necessary connection subsisting between church and state.

FRANCOIS S. D'ALQUIE wrote his "Recherches Politiques" in 1669. A great number of the leading principles of political science will be found in this work, under the modest form of giving advice to princes, and making casual remarks upon the different modes in which nations may be governed. The whole treatise is full of good sense, and acute observation.

SPINOZA. — "Tractatus-Theologico-Politicus," 1670. This author is better known in the literary world as a metaphysician and philosopher, than a politician; yet his disquisitions on government are well entitled to a passing notice.

The author tells us, at the outset, that, in speculating on human governments, we must take mankind just as we find them. That all schemes or theories which assume a greater degree of perfection in human nature, than a history of our species displays, must be illusory and chimerical. Hence, in his judgment, the best guides in politics are men of practical skill and observation.

Spinoza maintains that natural law is the same as natural power; it is just that portion which nature has given to every individual in an uncivilised state. Nothing can be forbidden by this law, because there is no one to command or to obey. Everything depends upon the individual himself. The only check he finds is that other men have the same disregard of authority, and are equally removed for its injunctions. Therefore this state makes every man the natural enemy to man. By uniting, however, this enmity is not only neutralised, but positive strength communicated to the union. Out of it spring various civil elements, just and unjust, right and wrong, expedient and inexpedient.

The supreme magistrate in a state, must be considered as the personification of all the political rights and privileges of the citizens. The institution of civil government gives rise to mutual duties between the governor and the governed; and the will of the former becomes the rule of right to the latter.

Two independent states must be considered as two individuals in a state of nature; they are mutual enemies to each other. If they enter into negotiations, treaties, or alliances, their obligation to keep their respective promises and engagements, is solely dependent upon the circumstances of their condition, as to mutual anticipations of danger, or prospects of advantage. The same motives must animate whole societies of men, that influence individuals—the constant desire of self-preservation. The whole tenor of history shows that whatever theoretical notions may be entertained as to the obligation of states keeping faith with other states they might be in alliance with, the rule of practice has always been, that when prospects of ad-

vantage, or fears of injury, become very powerful in either party, all formal agreements are thrown to the winds.

There is a strange compound of liberty and despotism in the political writings of Spinoza. He seems always greatly alarmed at the idea of despotic power; and yet he has not the resolution to confer sufficient authority on the citizens, so as to enable them to shelter themselves effectually from it. He admits that the fundamental laws of the social contract may be broken by the people, when, on the whole, it is safe and advantageous to do so. But then this admission of popular right is hedged about with so many qualifications and reservations, that the principle becomes completely nugatory. By denying to the citizens the right of judging of the public good, and placing in the hands of the chief magistrate the power of producing ultimate change in the constitutional form of the government, everything bearing the most remote semblance of popular liberty, is completely annihilated. He enters a solemn protest against placing absolute power in the hands of any single man, no matter what his private and public qualifications may be; because he says, and very justly, that the people can have no security from oppression and misery, but the mere caprices of the individual. War, he says, is preferable to such a state of things. But instead of following out a principle of this kind, which he seems to have zealously and sincerely adopted, to its legitimate limits, he turns round and makes a full recantation of all that he had just before so eagerly contended for. All this shows that he had either not fully understood his subject, or that he lacked the moral courage to maintain his opinions.

We shall say a few words on his idea of a well regulated monarchy. The citizens are to be divided into families. From each of these, counsellors of fifty years of age, are to be chosen by the king, who are to go out of office by rotation every five years. The assembly of these counsellors is termed a senate. Its duty is to take cognizance of everything relative to the state; and the king is to be guided by its unanimous opinion. To confer, however, a little discretionary power on the kingly office, he may, in case of a difference of opinion on matters submitted to his consideration, give his suffrage to the minority of the senate, providing that minority is not less than one hundred counsellors. The citizens are to be enrolled as a militia; for a standing army, is, in the opinion of the author, inimical to constitutional freedom.

From this monarchical scheme of government, Spinoza proceeds to examine another, called an aristocratic republic. He takes the constitution of Venice as a model, but dissents from the authority of an elective doge. There is to be here a great council of *five thousand*; in order that the people may have a sufficient safeguard for the close oligarchy of a few families, who, in all limited assemblies, where extensive power is enjoyed, always become ready instruments of corruption. The members of this extensive council, are to be self-elected; because, this mode of choice constitutes the very nature and essence of aristocratic power.

Spinoza is not favourable to a monarchical form of government, for this, among other reasons, that as one man cannot really govern a multitude, the most absolute monarchy becomes a practical aristocracy, in the

hands of the ministers and advisers of the king. He likewise remarks, that monarchy is most secure when it is so constituted as to divert all its powers and influences to the promotion of the public good. He thinks a large aristocracy the best form of government, and the most favourable to civil liberty.

The author's chapter on democracy is left unfinished. He thinks democratic institutions liable to many objections and abuses. He zealously defends the doctrine of toleration, and objects to an established form of religion.

"Avis aux Refugiez," Amsterdam, 1690. It is not very accurately ascertained who is the author of this work. Some ascribe it to Bayle, some to Pelisson, and some to Larroque. But the general balance of evidence, seems to be in favour of the first-named writer. It is a satirical production, and recommends to all those persons who had taken refuge in Holland, on account of political or religious persecutions, to cultivate a spirit of humility and passive obedience, to entertain reverential and loyal sentiments towards the king of France and his government, and to despise the novel and seditious principles of the English Revolution. The point of the work arises from this circumstance, that nearly all these refugees entertained high notions of civil and religious liberty, and were by no means overflowing with loyalty for kingly authority.

From the revival of learning in Italy, till the end of the seventeenth century, the university of Louvain occupied a prominent position in reference to knowledge and science of all kinds; and many of her professors wrote able and voluminous treatises on the elementary principles of general polity. There are

upwards of a hundred works, great and small, on political matters, which date their origin from this renowned seat of speculation; but few of them would excite any interest among the reading politicians of the present day. These books were not, however, without their influence at the times they respectively appeared. They were generally narrow in their plans of discussion, and intolerant in spirit; treating of the civil privileges of individuals, and the relations of states with each other, through the exclusive mediums of moral philosophy and theology. This circumstance stamps the whole body of them with a unity and sombreness of character, which damps the feelings and aspirations of the mind, and which directly tells it, in plain and emphatic terms, "thus far thou shalt go, and no further."

As a counterpoise to this huge mass of dull and monotonous political disquisition, we have the writings of the protestant clergy and others, who always kept up a brisk fire upon the citadel of prescriptive right and dogmatic authority. The most able and active of these writers were Bayle, Le Clerc, and Jurieu.

The articles on politics in Bayle's "Dictionary" are numerous, and many of them valuable. His remarks on toleration, persecution, and liberty of conscience, are entitled to especial notice. Like all his contemporaries, his views on civil and religious freedom were unsteady and inconsistent. He breathes an intolerant spirit in some parts of his writings. He proposes a league of all christian princes, and even of infidels, against popery; and says, "Ce ne seront pas une ligue moins honorable que celle qu'on feroit contre les corsaires de Barbarie."

The various writings of JOHN LECLERC, diffused throughout Holland and French Flanders, a liberal and enlightened spirit on political and religious freedom. He was one of those philosophers to whom civil liberty owes much. He was irritable and dogmatic in temper; but he entertained correct views on all the leading principles of toleration and civil right. He was the author of several works which excited and sustained, for many years, a spirit of inquiry and discussion among the learned in Europe, highly favourable to the extension of political knowledge. The most important and best known of these, is his "Bibliotheque Choisé."

JURIEU was called the Goliah of the protestants. He was the author of a "Preservative against Popery," "Politique du Clergé," and other works connected with the rights of private judgment, and the connection between church and state. Bayle charges him with sometimes writing for, and sometimes against, toleration. Jurieu is accused of maintaining that "Paganism would still have kept its ground, and three quarters of Europe would have been pagans at this day, had not Constantine and his successors employed their authority in the extirpation of it."

The collection of placards and ordinances of Brabant, from the year 1220 to 1664, are very curious and interesting. They were published at Antwerp, in four volumes folio, by Ant. Anselme, in 1740. In the Harleian manuscripts, No. 7015, there is a collection of MS. gazettes, in the French language, dated from the Hague, for the years 1620 to 1623, relative to public transactions in all parts of Europe.

ANDREW MODREVIO published, at Basil, 1569, his

"De Republica," an able work on the general necessity of state reformation. The author's views of politics generally are of an eclectic character.

GERARD NOODT, of Leyden, published, in 1699, "A Dissertation on Sovereign Power." This work contains many sentiments and doctrines favourable to public freedom. "Sovereignty," says he, "is not, like the laws of social union, derived from nature; for all men being born free, and constituted by nature supreme judges in everything relating to their own advantage, sovereigns have been created voluntarily, and by mutual consent: and although upon the establishment of civil government, individuals be deprived of the power of asserting their own privileges, or redressing their own injuries; and though they be no longer at liberty to will anything except what the supreme magistrate judges to be for the good of the society; yet the civil power is not supposed to be left at liberty to counteract the public welfare. Government was established for quite different ends. It was not founded for the destruction, but for the safety and protection of the citizens. Nor could the people even suppose themselves under any obligation to submit to all the madness and caprices of a prince under whose protection they had originally placed themselves, in the full confidence of his fidelity and justice. Can we conceive that men endued with common sense, who had united under the same kind of government to secure the quiet and peaceful possession of the gifts of nature, could ever arrive at such a pitch of folly, as, (after the establishment of civil government,) to counteract those very ends for which it was originally designed? or merely out of respect for their sovereign

to renounce all their natural rights and advantages? Should they be so simple and destitute of public spirit, they would henceforth be treated like a flock of sheep, or a herd of cattle, from which the owner draws all the profit he can, which he feeds or drives about, milks or clips, flays or eats, just as he thinks proper. Away with thoughts so repugnant to right reason, from which common sense and the law of nature equally recoil."

Noodt was the author of a treatise on usury, 1698, in which he defends its lawfulness, both in the eye of reason and religion. He treats the general question through the entire mass of Roman law.

"Les Héros de la Ligue," was a satirical production of Holland, 1691, which created considerable public interest, when published. It was illustrated by twenty-four caricatures of great wit and drollery.

John De Witt, was one of the most talented of European statesmen in the seventeenth century. He was a native of Dort, in Holland, and took a very active part in the legislative affairs of that country. When it was invaded, however, by the French in 1672, civil dissension overspread the entire kingdom; and he, and his brother Cornelius, were barbarously murdered by the populace.

His work on "The True Interests and Political Maxims of the Republic of Holland," displays an intimate acquaintance with legislative science, and a truly enlightened and liberal mind. The first chapter of his work, on the general maxims of state, shows how profoundly he had studied both ancient and modern writers on constitutional subjects, the nature of civil law, and the law of nations.

On religious toleration the author observes, "All christian clergymen ought to rest satisfied, according to their master's doctrine, to enlighten the minds of men with the truth, and to show them the way to eternal life, and afterwards to endeavour to persuade and turn such enlightened persons in all humility and meekness into the paths that lead to salvation. It is evident that all people, especially christians, and more particularly their public teachers, ought to be far from compelling, either by spiritual or bodily punishment, those that for want of light and persuasion are not inclined to go to the public church, to do any outward act, or to speak any words contrary to their judgment*."

LEIBNITZ.—"Methodi Novæ discendæ docendæque Jurisprudentiæ" 1667; "Corporis Juris Reconconnandi Ratio," 1668.

Leibnitz, may be considered as the parent of the present system of philosophising on politics in Germany. This distinguished man, was as deeply conversant in jurisprudence, as in metaphysics and mathematics. His views of politics were, that all the states in western Europe, at least, ought to be united into one christian body; that the pope of Rome, ought to be the spiritual, as well as the temporal head of this body. An universal jurisdiction should be conferred upon him, both as pope and as emperor; the first, exercising his powers in the repressing of heresy; and the latter, in preserving the political and civil integrity of the kingdom. The title of majesty is to be given to the ruling head, and the kingdom itself, is to be designated as the holy kingdom. In Leibnitz's opinion,

* P. 60.

the laws which relate to human affairs, have a great appearance of arbitrary power. But a being endowed with reason and freewill, will not submit to a moral law, with the same certainty and precision as material bodies submit to the power of gravitation. In the voluntary observance of a moral law consists the felicity of man; it is in the possession of this right, that the dignity of human nature is founded. Human ideas have an absolute, as well as a relative existence; every one has a centre of its own, as well as power and sympathy to arrange itself around a common centre on every side. This common centre is the absolute; it is God. There ought to exist in the regions of the ideal, a general tendency of all things to verge to the Almighty. Even in material nature, we see that the individual and finite, is arranged around the general and infinite. Thus, in spite of all first appearances, the human thought ought to verge perpetually towards, and make every effort to unite itself to him, the source of all intelligence. When this movement of the human intellect is consummated, it will lose itself in sovereign good.

A state or nation is the realisation of public life relatively to morality, religion, science, and art. It is the animated, living, and external symbol of reason; it is a piece of living organism, or a manifestation of existence in complete harmony with liberty and necessity, the principles which preside at the birth of humanity. The state, as an organised whole, does not exist solely for such or such an end; it exists of itself; by virtue of its own innate attributes or powers. A nation is not a mass of human beings merely raised up, and huddled together, by some fortuitous accident; nor

a place where neither personal or individual life are recognised. A well constituted state does, on the contrary, unite two distinct things, that of public and individual life. For this reason it is that the despotism of one as well as the despotism of the many, ought to be banished from every well governed country. Whenever the will of the one, or the will of the many, reigns supreme, the liberty of both must be abridged and impaired. The state is not a convention made on a particular day; it is not born of the will of one, or of the will of many; but it is a machine, so to speak, put in motion by the instincts, wants, desires, and hopes of all. The state, like an organised body, augments in bulk and strength, from the most imperfect forms, to those which approach the nearest to perfection; until it has attained that limit beyond which it cannot pass. A state is the work of reason tending to display itself externally in proportion as it is awakened in the popular masses.

Art is the free and spontaneous creation of a mode by which the human mind externally realises the intentions of the eternal reason. Art is also the manifestation of the movement evolved by the absolute, which we have already noticed; it is, in fact, simply a continued revelation of God in the mind of man. Nature and liberty equally concur in the production of art. Genius, as we find the term applied to immortal creations, is a gift of nature, which, under this form, is not of itself, conscious of its own value or importance; but talent, which developes and fructifies the germ, is a national exercise of the liberty of the artist. Without talent, genius could neither be transmitted not conferred. Genius is a magnificent crown placed on the head of some of us; but such a king of divine

right, could never accomplish any glorious exploit, but would have to content himself with the beggarly elements of power. What a number of things are requisite to the production and perfection of art. Repose and grandeur, must be united to great animation of life; speaking to the senses, as well as to the intelligence and reason; and seizing man, as a whole, both in his earthly and divine attributes.

History exists from necessity. It exists because the external realisation of the notion of right, which is innate in man, is a task imposed on him, and from which he cannot divest himself. All the movements and efforts of beings endowed with reason converge towards this end. History is also a realisation of objectivity; of a notion existing primarily in human intelligence. The arts and sciences appertain only indirectly to history; the recitals of their progress are only accessories to history, properly so called; they belong to it, inasmuch as they enable humanity to gain its purposes in a specified portion of time. But that which is necessarily implied in history is an indefinite progression; which is, consequently, that of perfectability.

This perfectability is, however, denied by many philosophers; but if they were consistent with themselves, they ought also to deny history itself. If man were deprived, by this attribute, of perfectability, what would history be? Why the history of an animal would be as interesting as the history of the most distinguished and gifted of the human race. But man has a history precisely because, he constantly keeps adding to the perfections of his nature. He is not an immoveable statue; he does not move always in a circle; he proceeds in a line where each step he makes adds

to those which are to bring him to his final destination. The measure of his progress is certainly difficult to ascertain; one class of persons measure their perfections by the progress they make in arts and sciences; and others by the progress they make in social and political morality. Both methods are not devoid of inconvenience. There is another method which seems more rational. If the object of history be truly a successive realisation of the notion or idea of right, it is more natural to measure the progress of humanity, by the distance of the path which men have travelled to obtain the end. If we are far removed from this end, experience and theory will still assist us in estimating the progress we are making.

The successive realisation of the notion of right is the state or condition of liberty; beyond this, by virtue of the order of things, liberty would not exist. It would be an alien, without a country and without a home; or a parisitical plant, or an accidental excrescence in the social order of things. But liberty is inherent in humanity; and humanity places implicit confidence in it, for the fruits which it bears, and the end it is calculated to attain. If we were denuded of this attribute, we should never wish to do anything; we should find ourselves circumscribed within very narrow limits on earth; we should have no courage to exert that which is demanded of us by the law of duty; nor should we find ourselves susceptible of the heroism of making a personal sacrifice for the good of others.

There are none of us whose belief in the ultimate value of such sacrifices does not need to be supported and strengthened in the hour of trial; or who do not

require our minds to be consequently impressed with the idea, that this devotion to the public good is the valuable prize set before us, in our journeying through life. Now this moral and political discipline of mind, so to speak, is grounded upon a firm persuasion of human liberty. We believe that this power puts in motion the whole fabric of society; and is, indeed, the foundation on which that society rests. If man be free in relation to the moral and the political deeds which he does, he brings himself then under the cognizance of a law, and is responsible for them. He cannot take shelter under a material and fatal necessity. I am free to throw the stone I have in my hand, or not throw it; but I must yield to the power of universal gravitation, whether I will or no. Every person, then, endowed with practical reason, puts in play his own free-will, as if he were the only person in the creation, and there were no other beings but himself in existence. At first sight, it would seem as if all his actions would oppose each other, and would diverge into counter channels; never concurring to a common result, nor working for the promotion of a final end or object. But underneath this seeming discordancy, there is a beautiful and perfect harmony. When individuals act, they consult only their own free-will, yet by a secret and hidden necessity, they produce, not less, an order of events, pre-determined and chalked out before-hand. To the ordinary eye, the affairs of men in societies never appear for a single moment fixed or determined; but by looking a little beneath the surface, we see all the actions, which have taken their rise from the free-will of individuals, steadily and unerringly directed to a given end. An universal synthesis; a secret tie,

establishes, between all these diverse actions, a perfect harmony; and it is this process which constitutes the entire development of historical truth. By means of this absolute synthesis, all things are previously arranged, fixed, and calculated upon; and thus it is that opposing forces, and the most contradictory appearances, are moulded into one beautiful and harmonious system. Now it is solely in the bosom of the absolute, that this can happen.

In this point of view we are obliged to admit in nature, something like a mechanical process by which certain results are fixed before-hand to our actions. It is by this that the activity of the human species is productive of a general end or object assigned to it. The laws of nature and those of intuition, find themselves, at bottom, absolutely identical with all intelligences. Here identity finds itself the universal objective of all intelligence; an identity which renders possible the predetermination of all history as a means of framing an absolute synthesis. These are the developments of this synthesis, traversing a certain series of circumstances, and which constitute history itself. Now, this harmony between the end attained, that is to say, the objective, and the force which acts upon the objective, that is conscience, or human activity; this harmony, we say, can exist only by supposing the existence of another active principle. This new power is one of three things, but of a more dignified and lofty character than the other two; it is the real source from which the other two take their rise. This new power has already been named; it is the absolute. It alone is the foundation of the identity of the subjective with the objective. It forms the basis of the

science, have one common object—the perfection of man. To raise him in the scale of existence is their grand aim. As many things are here set in motion to accomplish a definite end, there ought to be a regulating principle of their common and harmonious action. These several branches of political investigation imply a power of co-ordination and direction. We see in society that this power belongs to intellect; men of strong and robust frames are governed by those in whom mental activity and intelligence are combined. Political knowledge, the most vital of all sciences, must occupy itself with objects of the most intellectual cast. This mental sphere, in which the politician moves, may be considered under three relations or aspects. The first embraces a knowledge of political *causes*, as far as these can be accurately known and determined; for unless these can be well understood, no mere abstract principles of general polity can be made practically available to the common concerns and improvement of human life. The second, all sound maxims of social philosophy fall naturally back upon the purely abstract conceptions of men's moral and religious nature; and whenever these cease to be predominant, and lawgivers become chiefly guided by what falls directly under the *senses* of men, erroneous modes of legislation must necessarily prevail. To raise the polity of nations and communities out of the deep ruts of mere sensuous action, enjoyment, and influence, is one of the highest objects of civil philosophy to achieve. The third, to confer perfect intelligibility upon all political knowledge—to show its nature, modes of operation, and final purposes—it must be contemplated apart from material

conditions and relations; it must not be materialised, but viewed by the mind in all its spiritual refinement and clearness. Politics, in all their twistings and connections, are bound to the great doctrines of a supreme intelligence, and religious feelings and sentiments. To look at all social relations and questions through these several channels, is to take the right method of improving legislation and general government.

These few observations are calculated to impart but a very faint notion of the general scope of the political theory adopted by the followers of Aquinas; but they may, perhaps, help to throw some small share of light on what is in itself of a rather dark and mystical character.

Spanish political literature is characterised, among other things, for its very early and copious treatment of colonial legislation. The discovery of the American continent, placed both Spain and Portugal in a novel position, in reference to other nations; and called forth new principles of administrative science, and territorial right. The extensive and rapid conquests and colonisation of the western world, and the sudden and great influx of the precious metals, gave a new impetus to the entire European commonwealth; stimulating the mercantile enterprise of some, and enriching other states, to an unprecedented extent. All these weighty and material agencies naturally gave birth to political speculations of a somewhat novel stamp: and new problems in the science of government were multiplied in every direction. The sphere of political observation, and civil and legal experiment, was considerably widened. Hence it is, that we find so many works in

Spain and Portugal treating of colonial matters; embracing everything connected with the military and civil administration of the newly created governments of the west, and of all those general principles of polity which the parent states thought it expedient to lay down relative to their colonial territories. Although both countries showed but little wisdom in the management of these fine and fertile regions of the globe; yet the treatises written on the subject are by no means devoid of interest and value on this account. They are instructive to other nations even from the very erroneous theories and principles they often lay down and advocate.

Political writings of the Jesuits, 1540.—The origin of the Jesuits is well-known, therefore, we need not give any formal account of the rise of their institutions. Suffice it to say, for our present purpose, that one of the grand objects, if not the sole one, the founders of the Society of Jesus had in view, was a purely political one—the making all nations dependent upon the Roman see for power and authority.

The first school of the Jesuits was established at Gandia, in the kingdom of Valentia, in 1546. This school was made into a university by the pope and the king of Spain. "This," says Mr. Hallam, "was the commencement of that vast influence they were speedily to acquire by the control of education. They began about the same time to scatter their missionaries over the east. This had been one of the great objects of their foundation. And when news was brought that thousands of barbarians had flocked to the preaching of Francis Xavier, that he had poured the waters of baptism on their heads, and raised the

cross over the prostrate idols of the east, they had enough, if not to silence the envy of competitors, at least to secure the admiration of the catholic world. Men saw in the Jesuits, courage and self-devotion, learning and politeness; qualities, the want of which had been the disgrace of monastic fraternities. They were formidable to the enemies of the church; and those who were her friends cared little for the jealousy of the secular clergy, or for the technical opposition of the lawyers. The mischiefs and dangers that might attend the institution were too remote for popular alarm*."

It is a difficult matter to speak fully and consistently on the merits of the political writings of the Jesuits. There is so much to approve and condemn—their labours as political speculators were so varied and extensive—their principles so much under the influence of temporary expediency—and their success so checkered and unsteady—that the judgment of a dispassionate bystander is placed in an unfavourable position to arrive at just and definite conclusions. Their admirers find them full of virtues, prodigies, and talents; while the mass of the people see them only through a deep gloom of crimes, intrigues, and falsehoods. It is scarcely possible to hold the balance steadily between two such wide extremes.

When the effects of the Reformation were felt throughout the various countries of Europe, its kings and governors were solicitous to obtain some counterbalancing power to preserve their thrones; while the popes, alarmed by the inundation of such a mass of innovation and heresy, were equally desirous, with

* "Lit. Middle Ages," vol. i. p. 369.

the temporal potentates of the day, to strengthen their religious and political influence. Of all the papal auxiliaries, the Jesuits seemed the most desirable for the object in view. They were ardent, tenacious, skilful, and enduring. They proved themselves the pretorians and janissaries of the papacy; and like all such privileged and mercenary servants, they only weakened the country which supported them, and often shook the very throne itself, which they were called upon to strengthen and secure. "These are the marplots," said Pope Clement VIII. "who trouble the whole church."

With the exception of the nominal members, we can scarcely hope to find an honest and good man, who has any idea of the public welfare, among the fraternity of the Jesuits. These nominal members, it must be confessed, form a considerable majority of the sect; but then it is not a working majority. The really active and influential men are those who enter into public life; these are the living soul of the society—the instruments of all its power and influence —and those alone who successfully shroud the mysteries of the craft from their less obtrusive and ambitious brethren.

This order professes the most complete passive obedience to aristocratic societies generally. To secure the fulfilment of this desirable object, they have established a regularly concentrated system of espionage and intrigue. The whole body maintain the infallibility of the pope, and his right to universal political dominion. This renders it easy to explain why they were always such great favourites at Rome, and how liberally the favours of the successors of St. Peter,

have been lavished upon them; even sometimes against the wishes and remonstrances of both kings and their subjects.

This supreme power was only sought to be acquired, however, through the medium of kings and governors. This was a grand but hollow artifice; but it succeeded for a time, to withdraw the ruling powers from the real design of the body. Princes became alarmed when they saw the Reformation over-spreading all Europe, gospel in hand; and the republican genius was so deeply engraved on the inspired volume, and it created such horror in the bosoms of the society, that one of its most influential members declared, from a philosophical chair, that he believed that the gospels could not be an inspired book, from its tendency to encourage democratic institutions. The papal power was opposed to the true religion of Christ—the pope to God—or, we should rather say, the church, such as the decretals, the proclamations, and bulls make her, and not that which is founded on the apostles, the fathers, and councils.

The Jesuits, faithful to the genius which created and fostered them, preached less of faith than obedience—rather desired subjects than christians. With them, to convert was to conquer; to preach was to reign; insubordination became heresy, and reasoning atheism. The reforming and protestant communities found powerful antagonists in those superior men whose names terminated with Bossuet, Arnauld, and the Port-Royal; but these, wishing to make christians, expounded the true faith, combatted error, and gave to what they considered to be the truth, all the authority and weight of their talents and eloquence. The

Jesuits, on the contrary, saw in every reformatory movement, either religious or political, only a revolt against the papacy; and they stigmatised the innovators only as a herd of slaves, yoked to their masters. It was not, therefore, in the christian system they placed their strength, but in political chicanery and expedients. They adopted war, murder, imprisonment, and prescription, just as the occasion suited their present views and interests. The sincere and able catholics—the virtuous solitaries of the Port-Royal—were treated by them with the same rigour and brutality. Their livings were confiscated, their edifices demolished, and their very ashes exhumated, and thrown in derision to the winds of heaven. Kings, as well as their revolting subjects, if they did not throw themselves into the ultramontane arms of Rome, were devoted to the poisoned chalice or the assassin's poinard. From the risings of the north to the league with France—from the Spanish persecutions to the Portuguese usurpation—the whole of history is full of the doings of the Jesuits. The murder of Henry IV. —the attempts against Elizabeth—the conspiracy against Maurice of Nassau—the assassination of the king of Portugal—the massacres of Japan—the revolt of Paraguay—the fall of the Stuarts—and the death of Ganganelli, were a few of the dark deeds effected by the writings and intrigues of this political fraternity.

But we must not commit injustice even towards them. We must notice the good with the bad. As a body, the Jesuits resisted all ecclesiastical honours. They devoted themselves almost exclusively to learning and teaching. They laid hold of all places of

public instruction; and figured conspicuously in the professor's chair, as well as in the confessional-box. They became highly useful and influential in disseminating instruction throughout the whole of Europe, soon after the revival of letters. They were full of zeal for intellectual pursuits of all kinds; and their history abundantly testifies the number of able men that composed their body, and the great obligations which learning and philosophy owe them. Their talents and mental ardour were not unfrequently directed to discussions and controversies, which compromised the honour and consistency of their own order, and even of christianity itself; but still the general intelligence of Europe owes much to their zealous and indefatigable labours.

The crimes of the Jesuits were almost invariably political crimes. They are most active and unscrupulous in those countries which are but feebly supported by just and equitable legislation. But it is a remarkable circumstance, pointedly shadowed forth in their eventful history, that when real danger came upon a country which was the theatre of their labours, they were speedily crushed, even without any violent or stringent efforts. They had no internal power to withstand a vigorous assault. They are not fitted to successfully repel open and direct attack. It is by secret affiliation and solitary mysteriousness, that the Jesuits become so dangerous and invulnerable to civil authorities.

It would prove tiresome and unprofitable to enumerate all the political writings of the Jesuits, or even a majority of them. Several, however, will fall under notice as we pass along the path of history. But even

at the present moment, there are great doubts about what is, and what is not the political written creed of this famous fraternity. The subject is only susceptible of a very general examination and discussion*.

"It looks romance, but solemn archives show
What miracles were by the Jesuits work'd
O'er mind and mind, when *first* their princes waged
Heroic warfare for the pontiff's throne.
Never was Education so profound,
As their adapting genius, form'd and plann'd,
And carried out. * * * *
* * * * * * *
Ignatius seem'd self-multiplied, and ruled
By their dark subtilities, o'er plots and plans
Tremendous, bloody, dismal, deep, and dire
As Rome conceiv'd, or policy preferr'd!
Thus do we find at infamous Versailles,
The poison'd words of persecuting Hate
Into the ears of Royalty distill'd
With potency how dread! while patriot hearts
In Britain's court, were basely undermin'd
Or master'd; every where they move,
And everything they touch, pervade and thrill;
All places reach; all powers affect, or change;
No person safe, no principle secure!
From cot to court, from king to subject down,
Their zeal doth like an omnipresence act.
Alike to them, to whom the Pope is God,
All powers of state, all governments the same!
Each to his church, is creature, slave, and tool;

* Ellendorf. "Die Moral und Politik der Jesuiten, nach den Schriften der vorzüglichsten theologischen Autoren dieses Ordens, 8vo, Darmstadt, 1840.

Alphonsus de Andrada. "De los Varones ilustres de la Companiá de I.H.S." Madrid.

Andreas Pèrez de Ribas. "Triumfos de la Compania en la Nueva Espana."

"Labor Evangelica de los Jesuitas en Fillipinas." Alvarez, "Historia de la Provincia de Aragon."

Tellez. "Chronica da Copanhia de Jesus da Provincia de Portugal."

Ludovicus Vives. "Relatio gestorum Patrum Societatis," 1596.

Crime is not criminal, when *She* commands
The deed enormous; Treason noble looks,
And murder from the decalogue departs
No more forbidden, should the Church require
A splendid victim for her crown, and cause!
"A JESUIT" well might childish dread conceive,
That name far more than mortal nature cloth'd!
Satanic wisdom seem'd almost surpass'd
By them who bore it; guile and darkness there
Concentr'd, such as intellectual fiends
On earth embodied, might for falsehood wield
Were Pandemonium in the mind to reign*."

In many of the early historical writings of Spain, we find valuable remarks scattered throughout their pages, on matters connected with legislative science and general freedom. In a "History of Castile," published in 1564, we find the following observations: "Wherever tyranny becomes exorbitant, and is not to be curbed by gentle methods, it cancels all the bonds of allegiance; self-preservation (whether natural or politic) being a thing that is indispensably necessary. For would it not be a pleasant thing, that one should load another with insufferable insolencies, trusting to this, that the injured person will not offer to defend himself, for fear, forsooth, of being thought disloyal, though, at the same time, he has no other way to remedy himself, but by being so? For it is undoubtedly a much less fault to be unfaithful to a tyrant, than to establish a succession of tyrants by a tame obedience."

Again, we have from the same enlightened pen, the following remarks on the nature of laws in general. Laws to be effective and binding upon the consciences of men, must be in harmony with our nature, and

* "Luther," by the Rev. Robert Montgomery, p. 332.

founded on the common sense, and the ordinary feelings of mankind. Authority may obtain obedience to any laws to a certain extent; but where they shock the sentiments of the world, they will be continually eluded; and eluded too with impunity. When they do violence to our feelings, good and humane men connive at their open or secret violations, because they seem disproportinate to the punishment inflicted. The blame is transferred from the culprit to the unreasonableness of the law itself.

The reform doctrines of Germany were not long in finding their way to Spain. As early as 1519, the the doctrines of Luther were promulgated throughout all the leading seminaries of public instruction in the kingdom; and though they appeared in the Latin language, it was not long after this till they were rendered into the Spanish tongue, and made the common inheritance of the mass of the people. The writings of Erasmus, containing more valuable and pointed political instruction, were very generally read and admired. His "Colloquies," "Praise of Folly," and other writings were in every one's hand, and had even been officially introduced into many of the public schools, both in chief cities and provincial towns.

The progress of reform sentiments alarmed the church and the civil authorities, and they put in force the whole powers of the Inquisition; and it is chiefly to the energetic labours of this court, that catholic writers have attributed their deliverance from religious and civil anarchy. One of them says, "Had not the Inquisition taken care in time to put a stop to these preachers, the protestant religion would have run through Spain like wildfire; people of all ranks, and

of both sexes having been wonderfully disposed to receive it*." Another writer tells us that, "All the prisoners in the inquisitions of Valladolid, Seville, and Toledo, were persons abundantly well qualified. I shall here pass over their names in silence, that I may not, by their bad fame, stain the honour of their ancestors, and the nobility of the several illustrious families which were infected with this poison. And as these prisoners were persons thus qualified, so their number was so great, that had the stop put to that evil been delayed two or three months longer, I am persuaded Spain would have been set in flames by them†."

The ruling powers of Spain watched with the most scrupulous care every movement of the public press, and the traffic in books of every kind. Dr. M'Cree tells us that, "the same tyranny was extended to other branches of science, even those which are most remotely connected with religion. All books on subjects composed by protestants, or translated by them, or containing notes written by them, were strictly interdicted by them. A papal bull, dated 17 August, 1627, took from metropolitans, patriarchs, and all but the inquisitor general, the privilege of reading prohibited books. Nicholas Antonio, the literary historian of Spain, was obliged to remain five years in Rome before he obtained this privilege, with the view of finding materials for his national work. The pontifical history of Illescas was repeatedly suppressed, and the author constrained at last to put his name to a work containing statements and opinions dictated to him by others, and diametrically opposite to those which he had formerly given to the world. While the

* Paramo, Hist. Inquis.

† Illescas Hist. Pontifical.

native historians of Spain were prevented from speaking the truth, histories written by foreigners were forbidden under the severest pains, as satires on the policy and religion of the Peninsula. The consequence has been, that the Spaniards entertain the most erroneous conceptions of their own history, and are profoundly ignorant of the affairs of other countries."

This continual watchfulness of the press, exercised the most chilling influence on intellectual exercises of every kind. An able modern writer justly observes, "It is rather to be considered worthy of notice, that didactic prose should have had any merit, or obtained any success in Spain during the sixteenth and seventeenth centuries. For the end it proposed is not, like that of poetry, to amuse, but, like that of philosophy, to enlighten and amend; and how dangerous in Spain was the social position of any teacher or moral monitor, who claimed for himself that degree of independence of opinion without which instruction becomes a dead form, needs not now to be set forth. Few persons, in that unhappy country, were surrounded with more difficulties; none were more strictly watched, or if they wandered from the permitted paths, were more severely punished. * * * Under such oppression, free and eloquent writers—men destined to teach and advance their generation—could not be expected to appear, and the few who ventured into ways so dangerous dwelt as much as possible in generals, and become mystical, or extravagant and declamatory. Nearly all, strictly prevented from using the logic of a wise and liberal philosophy, fell into pedantry, from

an anxious desire, wherever it was possible, to lean upon authority*."

CARDINAL XIMENES, it is said by some historians, was the author of a book, connected with the working of the Inquisition in Spain, which has created some interest in the history of her literature. The work is called "Del Regimento de Principes," and was published about 1525. It is an imaginative piece, after the manner of the "Utopia" of Sir Thomas More, and treats of the best mode of governing a kingdom. It lays down the principles, that justice and equity should invariably preside at the councils of the nation, that all abuses should be freely discussed in the presence of *Prudenciano*, the monarch of Truth; who after hearing the true state of the case, should immediately take upon himself the redress of grievances and public wrongs. In the part of the work more directly bearing on the Inquisition it enjoins that all persons accused of heretical opinions should be put in possession of the names and depositions of the witnesses brought against them; that they should have the privilege of holding intercourse with their legal advisers, agents and friends; that they should not be excluded from the rites of the church during their confinement; that *new christians*, and the descendants of heretics, shall be admissible to all public offices, without stigma or reproach; that to prevent ignorant convictions, the tribunals of the Inquisition shall be provided with such judges only, as are well versed in in all the questions of faith; that the confiscation of goods of the condemned persons shall be limited to the

* Ticknor's "Hist. of Spanish Lit.," vol. iii. p. 180.

property they actually possessed at the time of conviction; and that all the proceedings of this court shall be assimilated to those in other courts of criminal judicature of the kingdom. Dr. M'Cree doubts that the cardinal is the writer of this work. He says, "We may safely acquit Ximenes from the suspicion of being the author of a work containing principles of liberal policy and enlightened justice, which there is no reason to think that ghostly statesman ever entertained at any period of his life*."

Francis de Victoria, a professor of the university of Salamanca, was the first expounder and methodiser of the general principles and maxims, which have subsequently been adopted and extensively commented on by philosophers in every country in Europe, under the name of "The Law of Nations." Victoria takes the works of the most able and distinguished of the schoolmen as his guide; but particularly the "Secunda" of Aquinas. The professor shows that, in order to give validity to the maxims of right and justice among nations, we must trace back the obligation by which they are invested, to a theological source, and to the moral sentiments and feelings of the mass of mankind in all ages and countries. His views on this point are both enlightened and liberal. He openly condemned the government of his own country for their wars against the natives of America, even when defended by the pretexts that they were chiefly instigated and carried on for the express purpose of extending the knowledge of christianity. He thought this was no excuse at all; because we were openly violating one of the primary principles of justice, laying at

* "Hist. of the Reformation in Spain," p. 114.

the root of all christian doctrine. Victoria died in 1546.

Antonio Augustino was an eminent Spanish professor. He published his "Emendationes Juris Civilis," in 1544; a profound and valuable work. He is likewise the author of a small treatise "On the Principles of Government," in which there are some enlightened and liberal opinions. On the several divisions of the sovereign power of a nation, Augustino tells us that the rule of judging of what is virtuous and vicious is the same in politics as in morals —the same in entire societies as in an individual person. Every man acts criminally when he acts according to his own will, which only acts in conformity with his own views and interests. On the other hand a man acts virtuously when his will is regulated by the love of what is for the universal good of the community. In every branch of general policy, a prince always acts in unison with sound reason, when he is solely guided by a desire to promote the public good; but a ruler who only looks to what augments his own personal riches and power, violates one of the cardinal laws of sound legislation.

Kings and rulers have no power whatever over the persons of their subjects, any farther than what is requisite for the public good. All sovereignty is derived immediately from the deity; and the rights which it embodies should never be contrary to the obvious designs of our creation. Violence and cruelty are, above all things, to be avoided. God alone hath the sole right over the lives of men; and wherever it is delegated to the head of a nation, it is only to be exercised for the absolute preservation of the community.

Neither have kings any rights over the individual goods or possessions of their subjects. A contrary doctrine is inimical to the first principles of good government*."

Dominic Soto was the pupil of Victoria, and published his work, "De Justitia de Jure," in 1560. It consists chiefly of public lectures delivered at Salamanca. It gives evident indications that a decided improvement had taken place in the mode of treating political questions. Among other profound and liberal remarks in the book, we find the following:—"The king cannot be justly deprived of his kingdom by the community at large, *unless* his government becomes tyrannical." Soto agrees with his master Victoria, as to the unlawfulness of the Spanish war upon the unhappy and defenceless inhabitants of America; and in a dispute between Sepulveda and Las Casas, on this subject, Soto was named umpire, by the Emperor Charles V.; and the author gave his decision in accordance with these humane and enlightened views of Christian ethics. Soto is likewise considered the first philosophical writer who openly condemned the European slave trade. On this point, he says, "If the report which has lately prevailed be true, the Portuguese traders entice the wretched natives of Africa to the coast by amusements and presents, and every species of seduction and fraud, and compel them to embark in their ships as slaves; neither those who take them, nor those who buy them from the takers, nor those who possess them, can have safe consciences, until they manumit these slaves, however unable they may be to pay ransom†."

* Pp. 106, 107.

† "De Justitia de Jure," Lib. iv. Quæst. 1.

In another place he says, "We ought not to censure the conduct of princes too freely and openly; they are often honest in their intentions, but prove unjust and oppressive from being deceived and surrounded by their ministers, who are not often qualified to discover the truth. We ought rather to accuse ourselves for not having the courage to declare to rulers what is true and expedient to be performed. The love of our country is almost extinguished now; every one thinks only of himself, and how he may aggrandise his power and fortune, never caring for the sufferings and privations of others. Kingdoms perish more through the want of having good subjects, than because there are often bad sovereigns*."

Balthazar Ayala published his celebrated work on the "Rights of War," in 1581. The author was judge-advocate to the Spanish army in the Netherlands. The political portion of the treatise is confined to the second book; but there are various passages in other parts of it, which bear upon the science of general polity. Mr. Hallam makes the following observations on this Spanish author: "It will appear that the second book of Ayala, relates more to politics and strategy than to international jurisprudence; and that in the third he treats entirely of what we call martial law. But in the first he aspires to lay down great principles of public ethics; and Grotius, who refers to Ayala with commendation, is surely mistaken in saying that he has not touched the grounds of justice and injustice on war. His second chapter is on this subject, in thirty-four pages; and though he neither sifts the matter so exactly, nor limits the right of hostility

* Opera, vol. iv. p. 216.

so much as Grotius, he deserves the praise of laying down the general principle without subtility or chichanery. Ayala positively denies, with Victoria, the right of levying war against infidels, even by the authority of the pope, on the mere ground of their religion; for their infidelity does not deprive them of their right of dominion; nor was that sovereignty over the earth given originally to the faithful alone, but to every reasonable creature*."

JOAHNES PEREZ published, in 1586, a small work at Valladolid, "On the Origin and Nature of Government." The chief points the author aims at establishing are, the following: Moses was the earliest of all legislators and historians, of any credit; and he assures us that all mankind were derived from a common parentage. All ancient traditions, both sacred and profane, go to establish this fact. The family or patriarchal was the first shape that any thing like government assumed. Every head of a family possessed himself of such a portion of uncultivated and unoccupied land as he thought desirable, and afterwards divided it among his descendants. The eldest of such a family would naturally acquire authority over the younger portion of them. Paternal power does not necessarily give fathers an inherent right over the lives and liberties of their offspring; this is not the true source of legislative sovereignty; but it is the principal canal through which this sovereignty passes to mankind. The order of generation subjects all children to the conduct of their fathers, till they arrive at the years of maturity; and after that time it is natural to children to pay respect and obedience to

* "Lit. of Europe," vol. ii. p. 80.

them. It is thus that parental glides easily into sovereign authority. This is the origin of all governments, ancient and modern, as is fully proved by the history of the Jews, Spartans, and Romans. It is from this cause that kings were formerly called *fathers* in all languages. The word *nation* signifies no more than a great number of families descended from one and the same father.

Mankind continuing to multiply, families subdivide themselves. Some turn themselves into monarchical states, wherein a single person, often from his personal qualifications, becomes invested with supreme power. Others again, seeing the abuse of authority exercised by a single person, divide it among many. Another class of legislators being anxious to unite all the advantages of both kinds of rule, form a mixed government, which professes to avoid the changeableness of the multitude and the caprices of a single individual. These are the common foundations of all kinds of civil polity*.

Diego de Saavedra Faxardo wrote a work called "The Idea of a Politic Christian Prince," Madrid, 1602, which evinced considerable thought and liberality of sentiment. About the same time, Balthazar Gratian was distinguished in Spanish literature for his light and satirical political writings. "The Courtier," and "The Oracle," are among the best of his productions, and have been translated into several foreign languages.

Jean Mariana.—"De Rege et Regis Institutione," 1605. Mariana was a Spanish Jesuit, and born in the diocese of Toledo, in the year 1550. In early life he

* Pp. 20—22.

became a great proficient in languages, theology, and sacred and profane history. The above work was published at Mayence in 1605, in three books; and the aim of the author is to justify the assassination of Henry III. of France. This was considered at the time highly seditious doctrine; and the book was condemned, and burned by the common executioner. All the copies that could be found of it in Spain were destroyed. The original edition of the work appeared there a few years ealier than that of Mayence.

The author inquires, what is the best species of government? and decides for the monarchical, as being, on the whole, the most safe and beneficial; but only on this condition, that the king call to his councils good and proper persons to guide his own judgment in matters of state.

Mariana calls James Clement, the assassin of Henry III., "The eternal glory of France;" and maintains that all usurpers may be lawfully put to death. At the same time he declares, that the waywardness of kings ought to be endured to a certain extent; that the ruling power should be admonished; and if a reformation does not follow, then it is a duty of the people to rebel against him, and take his life. He says, "It is a wholesome thing that sovereigns should be convinced that if they oppress the state, and become intolerable by their wickedness, their assassination will not only be lawful but glorious to the perpetrator."

The kingly office of Spain, he tells us, has not the power of imposing the taxes unless by the consent of the people. He may use his influence, he may offer rewards, sometimes he may threaten, he may solicit

with promises and bribes (we will not say whether he may do this rightly), but if they refuse he must give way; and it is the same with new laws, which require the sanction of the people. Nor could they preserve their right of deposing and putting to death a tyrant, if they had not retained the superior power to themselves when they delegated a part to the king. It may be the case with some nations, who have no public assemblies of the states, that of necessity the royal prerogative must compel obedience—a power too great, and approaching to tyranny—but we speak not of barbarians, but of the monarchy which exists, and ought to exist among us, and of that form of polity which of itself is the best."

The author treats, in his second book, of the education of a prince. This important task should be committed to proper and enlightened minds; and the love of justice, right, and humanity, should be carefully inculcated into the royal pupil. In the third book national taxation is dwelt upon at some length. Mariana maintains that nothing tends to debase and impoverish a people so much as excessive and ill-regulated taxation. The springs of industry become enfeebled in every department of social life; and the entire community sinks into a state of hopeless and irremedial misery and moral debasement.

Bayle mentions that Mariana was the author of a work entitled "De Republicâ Christianâ;" but neither Alegambe nor Antonio, Spanish literary historians, mention the fact. The following passage is taken from this treatise: "The right which any one or more persons have of political authority, comes only from the order of providence. As in the natural laws of the

material world, there is one secret and universal action of the first motion, which is the only and primary source of all the force, order, and movements which we see in nature; so, in the government of the world, there is one sovereign and secret providence, who disposes everything according to his eternal decrees or designs. Every moment of our existence is bound up with one eternity of future ages; and the things which we do every moment have a conformity to what may happen at all other times. The internal liberty of the creature continues perfect, absolute, and independent of all pre-determinations. Foreknowledge or order constrains or destroys it; but the outward state, rank, or circumstances, which every one of us are placed in, are regulated by weight and measures. All the different political events which appear in the eyes of ignorant and unthinking men as the effects of chance, are so indissolubly linked together, that they contribute to accomplish the great designs of the sovereign being who conducts everything to its proper and final end; that end having its full accomplishment in the nature and attributes of deity itself."

The general train of thought in the chapter from which this passage is taken, bears a very striking resemblance to the general doctrines which Leibnitz subsequently more fully expounded in his political disquisitions.

On the general merits of Mariana's "De Rege," Mr. Hallam observes, that "The whole work, even in its reprehensible exaggerations, breathes a spirit of liberty and regard to the common good. Nor does Mariana, though a Jesuit, lay any stress on the papal power to depose princes, which, I believe, he has

never once intimated through the whole volume. It is absolutely on political grounds that he reasons, unless we except that he considers impiety as one of the vices which constitute a tyrant*."

NARCIS PERALTA, published his "De la Potestat Secular," at Barcelona, in 1646. The work is sound and valuable in many respects. Its principles are laid down with great clearness; and though the power of the church is prominently kept before the reader's notice, yet it is not intended as a blind to other important state affairs. On the necessity of political authority of some kind, the author says, "In contemplating human nature, blind and weak by ignorance and passion, we can see nothing in men but a spirit of wild and savage liberty, where every one contends for and lays claim to everything in common, and where the dictates of sound reason go for nothing; because every one calls that reason which is the prevailing and ungovernable passion which animates him. In such a state of things there is neither property, dominion, nor right apart from him who happens to be the strongest, or most successful in the general struggle. Government is, therefore, absolutely necessary for regulating the properties of individuals, and determining the ranks which the several members of the social state should fill. Unless a government have always this cardinal object in view, it does not fulfil the end of its mission."

ANTONIO PEREZ, was a Spaniard, born in the sixteenth century. He was secretary to Philip II. and afterwards filled some more important offices of state. But he fell under the displeasure of this monarch, and

* "Hist. Lit." vol. ii. p. 47.

was obliged to fly into France, where he was supported by Henry IV. Perez published several works in Paris, in which the principles of Spanish policy is thoroughly investigated. About the same period we have Saavedra's "Idea di un Principe Politico," a work of some little reputation and value.

SUAREZ.—"Tractatus de Legibus ac Deo Legislatore," 1620. This work of the Spanish Jesuit is a very profound one, and amazingly comprehensive in its range. It treats of jurisprudence and moral philosophy, as well as of politics as a science.

The leading principle of the work is, that all governmental powers, as well as those which parents claim and exercise over their children, are derived from God; and that the authority of every law resolves itself into the sovereign will and power of the almighty. For either the law proceeds directly or immediately from the Deity, or it proceeds from man, as His representative on earth.

Suarez is diametrically opposed to the canonists, who hold that the civil magistracy is appointed by God, in the person of some prince, and that it remains in his heirs by succession. On this point he is very decided. He opposes the notion, often previously stated by writers of eminence, that all royal authority was derived from *Adam*. The Jesuit says, that, by right of creation, Adam had only an *economical* power, but not a political one; he had a power over his wife, and a parental power over his children, whilst they were not by years, made free; he might likewise, in process of time, have servants and a complete family; and in that family, he might have complete and absolute *economical* power. But after that family began to be multiplied, and men were dispersed, and became

themselves heads of families; they had the same power over their respective households as Adam enjoyed. *Political* power did not, however, commence until families were in some way gathered together in distinct groups or communities; and, therefore, as the community did not begin by the creation of Adam, nor by his will alone, but from the will of all those who did agree to this confederation; so we cannot maintain that Adam *naturally* had political primacy in such communities; for these cannot be formed by any natural principle, save by the force of the law of nature alone. It is not due, consequently, unto any progenitor, to be also king of his posterity. If this ruling power be not derivable from the principles of nature, we are not authorised to say that God, by a special gift or providence, gave it to any particular person; for we have no revelation of this, nor any testimony of scripture to support such an opinion.

There was a treatise, called "The Constitutions of Spain," published in 1687, at Valladolid, in which there is much valuable information, both in the way of statement and comment, on the leading principles of the Spanish government. The first portions of the work are occupied with a description of the early constitutional history of the kingdom, before and after its subjugation by the Saracens. These invaders took possession of the whole country, with the exception of the mountainous tracts on the northern frontier, those skirting the bay of Biscay, and the territory of Navarre, in the vicinity of the Pyrenees. Continual struggles were maintained against the Mahometan power, by these small sections of the kingdom, which were gradually crowned with success, by the esta-

blishment of the kingdom of Leon, in the eighth century, that of Castile in 1020, and Arragon in 1035. The Moslems were expelled a little after this from Catalonia and Valencia; but their final discomfiture was not fully effected till about the end of the fifteenth century. In 1469, Leon and Castile were united with Arragon, under Ferdinand and Isabella. The kingdom of Portugal, as now established, was founded in 1640. The Mahometan usurpation, and the many wars and contentions to which it gave rise for several centuries, imparted a peculiar complexion to all the branches of Spanish literature, and to none more than to the speculations of its authors on civil and political doctrines and systems.

The treatise now under consideration goes on to state, that during the whole of the Mahometan usurpation, the several independent monarchies retained all their original gothic institutions. These were all, more or less, highly favourable to the rights and privileges of the great mass of the people, and fully guaranteed some of the most important and vital principles of free and liberal governments. Many of the chief towns had enjoyed municipal privileges from the tenth or eleventh century; and had had large tracts of rich land annexed to them, which gave their inhabitants great power and social independence and comfort. Justice was administered in an equitable spirit, by judges chosen from the inhabitants at large. In all the separate kingdoms of the peninsula—Navarre, Leon, Galatia, Arragon, Castile, and Portugal—the political assemblies called *Cortes*, or courts, which formed constituent elements of the government anterior to the Moslem invasion, were maintained in all

their civil and political integrity. The several governmental functions of these courts were very important. They kept alive a continual watchfulness of royal interference; passed wholesome laws against parliamentary corruption at the elections of members of the cortes; and, above all, they displayed an especial sensitiveness regarding the imposition of all general or local taxes of every description. As an example of the spirit which prevailed in all these different assemblies on this vital privilege, the Cortes of Castile said to John II., "Once infringe upon this right of taxation, and all the other liberties of the subject become an illusion."

The author of "The Constitutions," descants upon many other important sections of the science of polity; and closes his disquisitions with some general remarks on what he considers the best form of government. This, he thinks, is a monarchy, tempered by a judicious portion of aristocratic influence. He supports his theory by the following arguments. The unity of a government is one of the chief advantages which a people can derive from it; principally, because it checks all divisions and jealousies among those who have the right of governing. The real power and happiness of a kingdom does not consist in the wealth and abundance of particular persons of the community, as in the common good of all the members of it. And this common good consists in the union of, and sympathy among individual families; the prevention of civil wars, and the extinction of civil feuds, factions, and cabals. Unity of action and power is much better able to grapple with, and overcome those evils which spring from the principles of our social nature, than

when the ruling power is distributed among a great number of independent agencies. A government divided, or placed in the hands of many individuals, may prove convenient enough for small republics, or single cities, but it is entirely incompatible with the interests of an extensive country. The great vice inherent in the republican institutions of a small state, is the constant desire of its members to raise themselves to political power and grandeur at any cost; and this ambition gives rise to frequent seditious and internal commotions. It was thus that the jealousies of Greece sprung up. Her celebrated senate could not repress these political heartburnings and civil dissentions; although it was composed of the most sage and able men from the twelve chief cities of the kingdom.

A monarchical government is better fitted for promptitude of action, than where the power of a government is placed in popular hands. A sovereign is free at all times to give his counsel and orders without let or hindrance; hence it is, that great enterprises are best managed by those who have the most unrestricted command of their own talents and resources. The monarchical form is likewise necessary for maintaining a due subordination among the different orders and classes of the people; that one should not tyrannise over and mar the peace and comfort of another. The author contends for a hereditary, and not an elective monarchy, which, he says, is the worst of all forms of government.

Bernardino, Count de Rebolledo, was a distinguished Spanish poet, and many years ambassador to the court of Denmark. He wrote, in verse, 1687, his "Selvas Militares y Politicas," in which are collected

a vast fund of observations on the military art, and on the nature and functions of government generally.

The following is a list of political writers whose works are not formally noticed, but several of them are of considerable value and importance.

Alphonsus Carrillo, "Princeps Evangelicus;" Alphonsus de Horozco, "Regalis Institutio;" Alphonsus Menor, "Avisos a Principes;" Alphonsus Ramon, "Instruccion de Principes;" Andreas Ferrers de Valdecebro, "El Superior Politico;" Andreas Mendo, "Principe Perfecto;" Antonio Carvallo de Parada, "Arte de Reynar;" Antonius de Guevara, "Relox de Principes;" Antonius de Parada, "Arte de Reynar;" Antonius Perez, "Norte de Principes;" Balthasar de Alamos, "Advertimientos al Gobieno;" Benidictus Furtado, "De Principium Institutis et Regimine;" Bernardinus Gomez Miedes, "De Apibus sive de Republica;" Didacus de Gurrea, "Arte de Ensena hijos de Principes;" Didacus Henriques de Villegas, "El Principe en su Idea;" Didacus Phillipus de Albornoz, "Cartilla Politico;" Didacus de Saavedra Faxado, "Idea del Principe Politico Christiano;" Didacus de Simancus, "De Republica;" Didacus de Tovar, "Institutiones Politicas;" Fredericus Moles, "Audiencia de Principes;" "Amistades de Principes;" Franciscus Monzon, "Espejo del Principe Christiano;" Franciscus Sandoval Quixano, "El Prudente Aronsejado;" Gabriel Laso de la Vega, "Advertencia del Emperador D. Carlos a su hijo;" Gregorius Nunez Coronel, "De Optimo Reiss: Statu;" H. Fernandez de Otoro, "El Maestro del Principe;" H. Merola, "Republica Original Sacada del Cuerpo Humano;" H. de Ortega, "Despertador del Principe;" H. Osorius, "De Regis

Institutione;" H. de Zavallos, "Arte Real;" Ibandus Bardaxi, "Avisos y Doctrinas de Principes;" J. de Banos, "El Ayo y el Maestro de Principes," Politica Militar de Principes;" Joan. de Campo, "Monarcha Perfecta;" Joan. de Covena, "Arte de Regir la Republica;" Joan. Eusebius, "Corona Virtuosa;" J. Fernandez de Medrano, "Republica Mixta;" Joan. Genesius de Sepulveda, "De Regno et Regis Officio;" Joan. de Horozco, "Doctrine de Principes;" Joan. a Jesu Maria, "Instructio Principum," "Ars Gubenandi;" Joan. de Palasox, "Historia real Sagrada;" J. P. Martyr Rizo, "Norte de Principes;" M. Lopez Bravo, "De Rege et Regendi Ratione;" Paulus de Mendoza, "Regimiento del Principe Christiano;" Philip de la Torre, "Institucion de un Rey Christiano;" S. F. Morzillo, "De Regno et Regis Institutione."

Soon after the art of printing gained admittance into Spain, satirical literature was one of the branches of knowledge cultivated to a certain extent. In the early part of the sixteenth century, Torres Naharro, Silvestre and Castillejo, were authors of national satires, written in the spirit of severe irony and bitterness. Mendoza and Bascan, were writers of note, and their effusions have more or less of political pungency and raciness. At the commencement of the seventeenth century, Francisco Gomez Quevedo was a prolific author of satires, all having a bearing on political matters, and particularly on the many severities and imprisonments he had himself endured from the civil and religious authorities of the times. The best of these prose works are, "On All Things and Many More," "The Tale of Tales," "Fortune no Fool, and the Hour of All," "The Catchpole Caught," "A Visit

in Jest," "Dream of Skulls," and "Pluto's Pigsties." Many of these satires have been translated into most of the languages of Europe; and display unrivalled genius and talent.

The orthodox poets likewise wrote bitter verses against their opponents. Here is a specimen of the manner they spoke of all grades of reformers, civil and religious.

> "El Germano Martin la despedaza:
> Arrio, Sabelio, Helvidio y Justiniano
> Siguen de Christo la homicida caza,
> Calvino con Pelagio y el Nestoriano
> Como tras fiera van tras El a caza:
> Quien toma pierna o pie, quien braza o mano,
> Denuncia guerra Acab contra Miquea,
> Y Malco a Dios de nuevo abofetea."

Satirical productions of this cast were never, however, very popular in Spain; the character of the people being of too grave a cast, to relish the caricature and burlesque of their descriptions. Mr. Ticknor justly observes, "The truth is, that wit and severity of this kind, and in this form were never heartily encouraged in Spain. The nation itself has always been too grave and dignified to ask or endure the censure they imply; and if such a character as the Spanish has its ridiculous side, it must be approached by anything rather than personal satire. Books, like the romances of chivalry, may, indeed, be assailed with effect, as they were by Cervantes; men in classes may be caricatured, as they are in the Spanish *picaresque* novels and in the old drama; and bad poetry may be ridiculed, as it was by half the poets who did not write it, and by some who did. But the characters of individuals, and espe-

cially of those in high station and of much notoriety, are protected, under such circumstances, by all the social influences that can be brought to their defence, and cannot safely be assailed. Such, at least, was the case in Spain. Poetical satire came there to be looked upon with distrust, so that it was thought to be hardly in good taste, or according to the conventions of good society, to indulge in its composition. And if, with all this, we remember the anxious nature of the political tyranny which long ruled the country, and the noiseless, sleepless vigilance of the inquisition—both of which are apparent in the certificates and licences that usher in whatever succeeded in finding its way through the press—we shall have no difficulty in accounting for the fact, that poetical satire never had a vigorous and healthy existence in Spain, and that after the latter part of the seventeenth century, it almost entirely disappeared till better times revived it*."

The Spanish drama was founded about the latter end of the fifteenth century, and was soon turned into a political instrument, chiefly for the purpose of animating the warlike feelings of the people, and supporting the royal dignities and offices. We have "The Couplets of Mingo Revulgo," about the year 1472, a severe satire of a popular cast, appealing to the mass of the people on the deplorable affairs of the kingdom, which characterised the latter period of the reign of Henry IV. The piece is in shape of a dialogue between two persons, one called *Mingo Revulgo*, a corruption of Domingo Vulgus, represents the common class of people; and the other, *Gil the Elevated*,

* "Hist. of Spanish Lit.," vol. iii. p. 7.

who represents the higher or wealthier classes of the nation, and who declaims in a very authoritative tone on the ruinous condition of the working people, who, he says, brought all these political evils on themselves by committing their affairs to the hands of a careless and indifferent shepherd. "It opens with the shouts of Gil the Elevated, who sees Revulgo at a distance, on a Sunday morning, ill-dressed, and with a dispirited air:

"Hollo, Revulgo! Mingo, ho!
Mingo Revulgo! ho, hollo!
Why, where's your cloak of blue so bright?
Is it not Sunday's proper wear?
And where's your jacket red and tight?
And such a brow why do you bear,
And come abroad, this dawning mild,
With all your hair in elf-locks wild?
Pray are you broken down with care?"

Revulgo replies, that the state of the flock, governed by so unfit a shepherd, is the cause of his squalid condition; and then, under this allegory, they urge a coarse but efficient satire against the measures of the government, against the base, cowardly character of the king, and his scandalous passion for his Portuguese mistress, and against the ruinous carelessness and indifference of the people, ending with praises of the contentment found in a middle condition of life. The whole dialogue consists of only thirty-two stanzas of nine lines each; but it produced a great effect at the time, was often printed in the next century, and twice elucidated by a grave commentary*."

We find the warlike sentiments of the people roused

* Ticknor's "Hist. of Spanish Lit.," vol. i. p. 237.

up by one of the dramas of Vicente, published about 1502. The following lines are translated by Mr. Ticknor.

"To the field! To the field!
Cavaliers of emprise,
Angels pure from the skies
Come to help us and shield.
To the field! To the field!

"With armour all bright,
They speed down their road,
On man call, on God,
To succour the right.

"To the field! To the field!
Cavaliers of emprise,
Angels pure from the skies,
Come to help us and shield.
To the field! To the field!"

The popular ballads of Spain form a portion of her political literature of some interest and curiosity. From the earliest periods of her history the people were enthusiastically attached to the order of minstrels, who lost no occasion of seizing hold of every public transaction, and bringing it under the cognizance of popular sentiment and feeling. If we are to judge of specimens from what are called *historical* ballads, considerable license of expression seems to have been allowed in bringing the ridiculous to bear upon the civil and political measures of the times. When any topic of excitement arose, the ballad writers and singers were instantly upon the alert; and whether the matter related to war, or peace, to courtly corruption or civil broils, the people always seemed to enjoy their accustomed modicum of laughter and fun.

Mr. Lockhart justly observes, that "The strongest

and best proof of the comparative liberality of the old Spaniards is, as I have already said, to be found in their ballads. Throughout the far greater part of these compositions, there breathes a certain spirit of charity and humanity towards those Moorish enemies with whom the combats of the national heroes are represented. * * * The Spaniards had their taste for warlike song in common with all the other members of the great gothic family; and they had a fine climate, affording, of course, more leisure for amusement than could have been enjoyed beneath the rougher sky of the north. The flexibility of their beautiful language, and the extreme simplicity of the versification adopted in their ballads, must, no doubt, have lightened the labour, and may have, consequently, increased the number of their professional minstrels. * * * Throughout that very extensive body of historical ballads from which these specimens have been selected, there prevails an uniformly high tone of sentiment; such as might have been expected to distinguish the popular poetry of a nation, proud, haughty, free, and engaged in continual warfare against enemies of different faith and manners, but not less proud, and not less warlike than themselves. Those petty disputes and dissensions which so long divided the christian princes, and, consequently, favoured and maintained the power of the formidable enemy whom they all equally hated; those struggles between princes and nobility, which were productive of similar effects after the crowns of Leon and Castile had been united; those domestic tragedies which so often stained the character and weakened the arms of the Spanish kings; in a word, all the principal features of the old Spanish

history may be found, more or less distinctly shadowed forth, among the productions of these unflattering minstrels*."

Mr. Ticknor observes, "For a long time, of course, these primitive national ballads existed only in the memories of the common people, from whom they sprang, and were preserved through successive ages and long traditions only by the interests and feelings that originally gave them birth. We cannot, therefore, reasonably hope that we now read any of them exactly as they were first composed and sung, or that there are many to which we can assign a definite age with any good degree of probability. No doubt we may still possess some which, with a little change in their simple thoughts and melody, were among the earliest breathings of that popular enthusiasm which, between the twelfth and fifteenth centuries, was carrying the christian Spaniards onward to the emancipation of their country; ballads which were heard amidst the valleys of the Sierra Morena, or on the banks of the Turia and the Guadalquivir, with the first tones of the language that has since spread itself through the whole of the peninsula. But the idle minstrel who, in such troubled times, sought a precarious subsistence from cottage to cottage, or the thoughtless sailor, who, when the battle was over, sung its achievements to his guitar at the door of his tent, could not be expected to look beyond the passing moment; so that, if their unskilled verses were preserved at all, they must have been preserved by those who repeated them from memory, changing their tone and language with the changed feelings of the times and events

* "Spanish Ballads, Preface."

which chanced to recall them. Whatever, then, belongs to this earliest period, belongs, at the same time, to the unchronicled popular life and character of which it was a part; and although many of the ballads thus produced may have survived to our own day, many more, undoubtedly, lie buried with the poetical hearts that gave them birth*."

We shall insert a specimen or two out of some of the historical class of ballads. The following is one translated by Sir Walter Scott, on the death of Don Pedro, (commonly called *the cruel*,) by his natural brother, Henry:

"Henry and King Pedro clasping,
Hold in straining arms each other;
Tugging hard and closely grasping,
Brother proves his strength with brother.

"Harmless pastime, sport fraternal,
Blends not thus their limbs in strife;
Either aims, with rage infernal,
Naked dagger, sharpened knife.

"Close Don Henry grapples Pedro,
Pedro holds Don Henry strait,
Breathing, this, triumphant fury,
That, despair and mortal hate.

"Sole spectator of the struggle,
Stands Don Henry's page afar,
In the chase who bore his bugle
And who bore his sword in war.

"Down they go in deadly wrestle,
Down upon the earth they go;
Fierce King Pedro has the 'vantage,
Stout Don Henry falls below.

* "Hist. Spanish Lit.," vol. i. p. 108.

"Marking then the fatal crisis,
Up the page of Henry ran,
By the waist he caught Don Pedro,
Aiding thus the falling man:—

"King to place, or to depose him,
Dwelleth not in my desire,
But the duty which he owes me,
To his master pays the squire:—

"Now Don Henry has the utmost,
Now Don Pedro lies beneath;
In his heart his brother's poniard
Instant finds its bloody sheath.

"Thus with mortal gasp and quiver,
While the blood in bubbles welled,
Fled the fiercest soul that ever
In a christian bosom dwelled."

The following ballad describes the public enthusiasm among the people of Leon, when Benardo first raised his standard to oppose the progress of the army of Charlemagne, about the year 795.

"With three thousand men of Leon, from the City Benard goes,
To protect the soil Hispanian from the spear of Frankish foes;
From the city which is planted in the midst between the seas,
To preserve the name and glory of old Pelayo's victories.

"The peasant hears upon his field the trumpet of the knight—
He quits his team for spear and shield and garniture of might;
The shepherd hears it 'mid the mist—he flingeth down his crook,
And rushes from the mountains like a tempest-troubled brook.

"The youth who shows a maiden's chin, whose brows have ne'er been bound,
The helmet's heavy ring within, gains manhood from the sound;
The hoary sire beside the fire forgets his feebleness,
Once more to feel the cap of steel a warrior's ringlets press.

"As through the glen his spears did gleam, these soldiers from the hills,
They swelled his host as mountain-stream receives the roaring rills;
They round his banner flocked in scorn of haughty Charlemagne,
And thus upon their swords are sworn the faithful sons of Spain.

"'Free were we born,' 'tis thus they cry—'though to our king we owe
The homage and the fealty behind his crest to go;
By God's behest our aid he shares, but God did ne'er command
That we should leave our children heirs of an enslaved land.

"'Our breasts are not so timorous, nor are our arms so weak,
Nor are our veins so bloodless, that we our vows should break,
To sell our freedom for the fear of Prince or Paladin;
At least we'll sell our birth-right dear—no bloodless prize the'll win.

"'At least King Charles, if God decrees he must be lord of Spain,
Shall witness that the Leonese were not aroused in vain;
He shall bear witness that we died as lived our sires of old—
Nor only of Numantium's pride shall minstrel tales be told.

"'The LION that hath bathed his paws in seas of Lybian gore,
Shall he not battle for the laws and liberties of yore?
Anointed cravens may give gold to whom it likes them well,
But steadfast heart and spirit bold Alphonse ne'er shall sell*.'"

Spain is remarkably rich in national chronicles, which give the historian and politician a complete insight into the events of the times, and to the effects produced by various forms and maxims of general polity. The "Chronicle of Alfonso the Tenth," and the "Chronicle of the Cid," are the most ancient and valuable. Then follow the "Chronicles" of the reigns of Sancho the Brave and Ferdinand the Fourth; the "Chronicle" of Alfonso the Eleventh; the "Chroni-

* Lockhart's "Spanish Ballads."

cles" of Peter the Cruel, Henry the Second, John the First, and Henry the Third, by Ayala; the "Chronicle" of John the Second, two "Chronicles" of Henry the Fourth, and two of Ferdinand and Isabella*.

* See Note F, at the end of the volume.

CHAPTER VII.

CONCLUDING OBSERVATIONS.

In casting an eye backward over the ground we have travelled in this volume, from the year 1400, to to the present date of 1700, we cannot fail to be struck with the varied and checquered aspect of political science, considered as a whole. On one or two points connected with this period of its history, embracing nearly four centuries, a few general remarks seem obviously called for.

This portion of the history of political literature embraces the most impatient epoch in the experience of mankind, as social and political agents. All former periods of their legislative movements and aspirations sink into comparative insignificancy, when contrasted with the bold and rapid advances they made in these four centuries, in the knowledge of abstract principles of government, and in the skilful applications they have made of them to their wants, energies, and freedom. Every half century, within the time of which we are now speaking, is characterised by some new and important views of men's social relations, and decided progress in security and happiness; and the whole of European communities have arisen, like a giant refreshed with sleep, from a state of mental

and moral apathy and decrepitude, in which they had slumbered for ages.

At the commencement of the fifteenth century, political darkness and oppression brooded over the earth. Politics, as a science, and popular opinion as the outward and visible expression of it, could scarcely be said to exist. Society, it is true, had, in most countries of Europe, been moulded into shape and form, and its several functions played their respective parts in the general working of the entire machine; but there was no intelligent and comprehensive conception of the nature of its principles, nor of the great flexibility of which their application to the varied interests of the community, was susceptible. Political power was rude and untameable; it scorned advice or reproof; it spurned control or constitutional restraints; and turned the sword of persecution against those who dared to repine at its wicked and licentious manifestations.

The history of political opinion takes the form of great and distinct epochs. There is sometimes a powerful heave forward, and then a season of comparative lukewarmness and apathy. But there is no retrogression; what we often take for such is simply the settling down of society after its having been flooded with a series of new and interesting truths. Time is required for those to be absorbed into all the corners and ramifications of social life. There is often confusion, conflict, opposition, for a long period, and the energies of the nation seem almost exhausted or benumbed by the turmoil; but the season of renewed strength arrives, possibly from some unlooked for quarter, and a fresh bound in the career of intelligence is made,

and a succession of new ideas and principles laid before the public mind. A seeming lull may come over the community before these ideas and principles are fairly laid hold of and incorporated with the entire structure of society; but the previous advances of political knowledge are secured, and humanity is advanced a stage forward and placed on a higher platform. The progress of public sentiment is like the motion of the tides, but without its ebb. The advancing waters come rolling along—then receding—then approaching again, making further conquests on the broad beach, till the whole is submerged by the resistless energies of the moving fluid. Just in like manner do political truths act on society. The first entrance of a novel idea before the public eye is often marked by a receding for a season; it makes its appearance again, with additional power and more attractive attributes; and the difference between it and other older ideas becomes less apparent and startling. A conquest is made; and the new conception or theory forms a constituent part of the intellect of the nation.

Let us suppose ourselves placed on an eminence commanding a near view of a populous and commercial city. In looking down upon its numerous and winding streets, we see countless thousands who are congregated in them, elbowing and threading their way among each other, with surprising regularity and ease. Every individual has some object of his own which he is prosecuting with ardour and singleness of purpose. To many thousands in the throng, the affairs they are engaged in are of unspeakable importance, involving the permanent happiness of themselves and families. Yet clashing as the antagonistic interests

and pursuits are, everything assumes the appearance of tranquillity and regularity. There is no confusion, no disorder, no scrambling, no personal conflicts. All is hushed into universal order. Private aims, purposes, and concerns, are just allowed a certain extent of individual development, and no further; and the selfish instincts and passions are kept from overflowing the natural barriers of social harmony, peace, and brotherhood.

Or again, let us look at the erecting of a splendid public building. We see the unseemly mass of scaffolding around it. Nothing appears more confused and perplexing to the eye, than the numerous posts, planks, ropes, and gangways which compose it; yet behind this huge and and ungainly outwork, there is a noble structure gradually unfolding its beautiful proportions, and embodying all the first principles of scientific architecture, refinement, and taste. Just so is it with political science. The numerous and opposite theories, and violent and antagonistic discussions on isolated questions, constitute the framework of true political knowledge; and time elaborates and moulds them into a harmonious unity of design and usefulness of purpose.

Political truth, like all other truth, expands and develops itself as time rolls on. Its principles are like the seeds of the acorn—the parents of the sturdy oak; the minute is swelled into the majestic, and the small becomes the great. Time is the chief elaborator of political truths and measures. It gradually unfolds them to the understanding; it preserves and nourishes them in their feebleness and growth; and advances them forward to the stages of expansion and maturity.

It spreads its healing and beneficent wings over the human race, and with a keen and searching eye, detects one speculative error, one practical obstruction to improvement after another, and removes them for ever out of sight. We personify time by calling it the spirit of progress; which moves onward with a steady and unfaltering step. There is no hesitation, no falling back. It is the True; it is the Just; it is the Right; it is one and indivisible; the same in all countries and climes; the same now it will ever be. It is the seed thrown into the fruitful ground, which will spring up and cover the entire face of the earth with luxuriance and beauty.

The history of society is, then, the history of progress. Great social principles of polity grow. They are sometimes hidden from view—sometimes checked —but they are full of vitality, and are still making advances in some unnoticed manner and direction. This is, and must ever be the case. This progressive movement knows nothing of contingency, doubt, accident, and chance. There is a great Guiding Hand above. Were this not the case—were it not in a thousand different ways imprinted on the heart of man —hope would be for ever extinguished in the human breast. Faith and courage are the two mainsprings of social and political movements. Harvest is connected with seed-time; the sowers and the reapers may not be the same individuals; but the joys of the latter are inseparably linked to the faith and labours of the former. "Les hommes," says Bossuet, "agitent; mais Dieu mene."

The sketch of political literature we have made in this volume, is fitted to awaken our perceptions as to

its great value, and to secure for political writers of every grade of opinion our regard and sympathies. They stand before us as the great improvers of mankind. Other characters are often thrust into the foreground of history, who have no solid pretensions to such a pre-eminence. The politicians of the pen have seldom been persons of much external splendour or display. We must follow them to their closets, and view them speculating in solitude on what is best for the improvement of mankind. Here it is, that we find the first conceptions of those valuable legislative truths which have lain unobserved for ages in human nature, and whose validity and efficacy are to be tested by the active statesmen and patriots of the day. It is from the fulness of these contemplative stores, that the mass of mankind become enlightened and improved. It is the intercourse with, and collision of original and creative minds, that prepares the social soil for salutary legislative measures, and not the mere fitful and unassisted efforts of the fortunate or courtly minister of the hour. In fact, the great civilisers and benefactors of mankind belong to that class of authors, more than any other, who in silence and retirement, as well as amidst contentions, poverty, and dangers, have given us the fruits of their speculations on government affairs. Their writings have prepared the world for the reception of those political truths, which have secured, from time to time, its progressive movements, and advanced its happiness.

On casting a retrospective eye on the progress of the science of politics, as unfolded by its numerous writers in all the countries of Europe, we cannot but be struck with the varied aspect of that progress, and,

on the whole with its cheering and satisfactory results. Looking at our own country, Great Britain, for example, what a small stock of materials our writers had to commence with, after the first dawn of the fifteenth century; how they had to grope their way amid the rudest conceptions of public right and justice; had to stem the current of deep-seated ignorance, and inveterate prejudices; and how skilfully, vigorously, and courageously, the champions of one age defended the ground gained by their predecessors. The successive races of political thinkers never flagged. Whenever a leading political thought or principle got once fairly launched on public discussion, it was never lost sight of, till it was either satisfactorily proved to be erroneous, or embodied as one of the sacred and cardinal maxims of general polity. There was an earnestness —a profound and sacred sense of duty—ever uppermost in the great mass of our political authors; and there is a great deal less of arbitrariness and venality among them, than the temptations they generally lay under might lead us to expect. There is a sincerity, openness, and unity of purpose displayed in their aggregate character, highly favourable to the steady progress of the science they cultivated, and to the consolidation of that public opinion, which was, by turns, both cause and effect of their zealous and varied labours.

In the other countries of Europe, we recognise a most marked improvement in the scope and liberality of their several departments of political literature, from the commencement of the fifteenth to the end of the seventeenth century. This progressive improvement was often effected by fits and starts, and was not

of such a decided and steady cast as that of Britain. Writers of continental nations had to suppress their real sentiments and opinions, and were often obliged to unfold their systems under the garb of fictitious narratives, and abstract and mystical hints and inuendos. To attack the injustice and corruption of their own governments openly, would infallibly have brought on their heads the severest penalties of the law. But still, such is the innate power of truth and right, in spite of all outward opposing obstacles, the work of reformation went steadily forward, and at its stage on the termination of the seventeenth century, there was not a country in Europe but could exultingly contrast their then enlightened system of political literature, with that state in which it had been two or three centuries preceding.

The political writings which have passed in review, in this volume, have generally held in solution a large portion of theology. We have seen how, and to what extent, religious sentiments influenced political speculation during the early and middle ages; and, after the Reformation, and the establishment of the art of printing, this sentiment became more conspicuous and influential, and more thoroughly incorporated with the discussion of questions of government of all kinds. In almost every country of Europe, the best and most profound writers, both on theoretical and practical polity, in the period of history now under notice, were men deeply embued with religious feeling; and we can scarcely point out a single instance, where a writer has gained anything like a reputation as a literary politician, where an irreligious or sceptical train of thought lay at the bottom of his disquisitions. In

those exceptional cases where this has been manifested to a limited extent, we find the principles laid down leading either to gross tyranny and oppression, or to downright absurdity.

We mentioned, in the introductory chapter to this volume, that one of the great questions on which the reader would find a constant succession of keen and bitter controversies, would be the right of private judgment in matters of religious doctrine and discipline. We have been able, in some measure, to perceive the connection subsisting between this principle, and political questions of all kinds. This connection gave rise to thousands of publications shortly after the Reformation; and, up to the close of the seventeenth century, the question was by no means disposed of. But still great advances had been made towards its final settlement. Bigotry and persecution had gradually subsided, and lost much of their former fierceness and cruelty. The constant discussions on religious liberty, brought the question fairly before both princes and people; and it became, year by year, more thoroughly appreciated and comprehended, as an all important and vital political truth. At the termination of the seventeenth century, the general feelings of enlightened writers on polity, in all parts of the world began to consider the matter in some such light as the following. There was a general conviction that theological doctrines might be viewed from various aspects, as many of them are, from their nature, difficult and obscure. They may all be sufficiently understood for the active duties and purposes of life, but not for the attainment of perfect and distinct knowledge. Inquiries after truth, with the best intentions, and

highest mental endowments, might often arrive at different conclusions; but the course to follow, as citizens of a commonwealth, is not to attempt what is impracticable, by using religious coercion and force; but to adhere to the great leading points in which the generality are agreed, and to let the less important matters of opinion and practice float down the stream of social life, where, if not opposed, they would occasion no formidable political obstruction to the progress of useful knowledge, and the extension of rational and wholesome liberty and independence.

The discussion of the great question of the right of private judgment in matters of theology, naturally led men to investigate the right of judging political questions and measures. Here another vast branch of controversional writing has passed in review before us; a branch involving interests of the most vital character to all mankind. How slowly and stealthily the civil right of resistance was developed, and brought before the understandings of the peoplo, is sufficiently apparent from the historical sketch we have given. We can point out the times and seasons when men spoke only in whispers on the matter; and at others, when they were as rampant and fierce as lions, and gave utterance to their views with a voice of thunder. A struggle, even unto death, was maintained, for three whole centuries, by writers of all nations, for this important question. And though, like the previous one on the rights of conscience, it was not in the year 1700 definitively settled, there had great advances been made towards this desirable object. The question had been keenly and searchingly investigated; most all its chief bearings had been accurately ascer-

tained; so that the popular right of resistance began to settle down in the minds of men, as being one that had gone through a fiery ordeal, and was not to be disturbed for the future. If we might be allowed to say what we consider to have been the true state of the controversy, at this juncture, we should unhesitatingly affirm, that this public right in a people had been generally granted by the most able writers of all nations, who had made the study of politics especial topics of investigation. The precise circumstances, however, which could justify the right of a community to throw off their allegiance to a king, were still matters of lively controversy, even among that class of literary politicians who embraced extended views of public liberty. There were able and patriotic men, both here and on the continent, who maintained the doctrine of divine right and passive obedience; but these doctrines were generally so modified, that they now bore but a faint resemblance to those known by the same names a couple of centuries before. The popular theory of government had been gradually gaining ground; and all the outer frameworks of civil establishments were as gradually becoming accommodated to this theoretic principle. The discussions of it had been particularly fruitful in England, for the full development of its nature and fitness for legislative purposes, and for enabling men to see its ramifications and bearings on all matters of practical government. There was still, however, a keen desire, in the eighteenth century, for further examination on the topic, as we shall have to state in our next volume.

The simultaneous development of political truths in most of the countries of Europe, after the fifteenth

century, is somewhat striking. They nearly all seem to have run a parallel course, as to the discussion of the leading principles of the science of government; and, up to the period now under consideration, they were nearly all upon a level as to mere abstract acquirements in the doctrines of social polity. This equal measure of knowledge relates, however, only to matters of pure theory; as to the actual application of them to the exigencies of government, or to the full and scientific elucidation of all their bearings on the social interests of communities, there was a marked discrepancy among all the different nations of Europe.

And here we shall take the liberty of making a remark or two on the political writers of our own country, to whom we are, at this hour, under such weighty obligations. We are apt, as a nation, it has been often said, to set a high value on our literary labours, in almost every department of human inquiry; and not, perhaps, without some good grounds for this national partiality. But making due allowance for whatever may be overcharged in our estimates on this point, we think it will not be denied by any qualified to sit in judgment on the question, that the political literature of Great Britain, taken as a whole, and for the three centuries now under consideration, is superior to that of any other country. It is more varied in its character, more profound and searching in its inquiries, more systematically arranged, and more copiously and eloquently illustrated, than anything we can find in the other countries of Europe. It displays a much greater portion of acute and vigorous intellect, than we can recognise elsewhere. Take the speculations of any one of the continental states, and contrast its

political disquisitions with those of our own land, and we shall soon perceive the superiority of the latter in all that appertains to originality of conception, logical order, subtile analysis, and, above all, to the susceptibility of applying all political writing to the practical concerns of legislation and government.

There was likewise a vigour, and a capacity for sustained efforts, displayed in the English mind which are not discernible in the political history of other nations. Indeed, when we contrast the personal courage, the lofty independence, the indomitable will, and the total disregard of consequences, when notions of duty were present, which stimulated the great majority of our writers to maintain their respective ideas of general polity, we cannot but see that they stand alone in the great theatre of political contention. They afford an interesting manifestation of the vast superiority of that national intellect, which is alike at home, whether in matters of theory or in practice. They have proved shining lights to all other nations. As a country we stand on a commanding eminence as cultivators of political knowledge. The writers of England have stemmed the tide of intolerance and ignorance, and burst asunder the fetters which would have confined our minds as well as our bodies in hopeless subjection. The vindication of general liberty, and the preservation of everything valuable in society, have been the fruits of their pen. Amid the fierce controversies of the day, and the collision of intellects, they have invariably been guided by the loftiest ideas of personal freedom, and national independence.

There were other causes which sustained British writers in giving their labours a uniform and benefi-

cial direction. They had always a body of ancient law and political right to guide and direct them, and to rally round, whenever any serious attacks, either openly or covertly, were made on fundamental principles of government. They had not, at every step and emergency, to begin their political and social inquiries *de novo*. The maxims of the old philosophical lawyers and statesmen, the influence of tradition and custom, and the veneration and sanctity with which all classes viewed the long-established institutions of the country, opened to all writers of every shade of opinion, an easy access to the public feelings and minds of the people.

NOTES TO THE SECOND VOLUME,

FROM THE

YEAR 1400 TILL THAT OF 1700.

NOTES.

NOTE A, p. 186.

Dr. John Poynet, p. 75.—"Civil power, is a power and ordinance of God, appointed to certain things, but no general minister over all things. God hath not given it power over the one and the best part of man, that is, the soul and the conscience of man, but only over the other and worst part of man, that is, the body, and those things that belong to this temporal life of man."

The following passages from Shakespeare, bearing upon political sentiment and opinion, are here inserted.

Menenius. What works, my countrymen, in hand? Where go you with bats and clubs? The matter? Speak, I pray you.

1*st Citizen.* Our business is not unknown to the senate: they have had inkling this fortnight what we intend to do, which now we'll show 'em in deeds. They say, poor suitors have strong breaths; they shall know we have strong arms too.

Men. Why masters, my good friends, mine honest neighbours,
Will you undo yourselves?

1*st Cit.* We cannot, sir; we are undone already.

Men. I tell you, friends, most charitable care
Have the patricians of you. For your wants,
Your sufferings in this dearth, you may as well
Strike at the heaven with your staves, as lift them
Against the Roman state, whose course will on
The way it takes, cracking ten thousand curbs
Of more strong links asunder, that can ever
Appear in your impediment. For the dearth,
The gods, not the patricians, make it; and
Your knees to them, not arms, must help. Alack!
You are transported by calamity

Thither were more attends you ; and you slander
The helms o' the state, who care for you like fathers,
When you curse them as enemies.

1*st Cit.* Care for us! True indeed! They ne'er car'd for us yet. Suffer us to famish, and their storehouses furnished with grain; make edicts for usury to support usurers; repeal daily any wholesome act establish'd against the rich; and provide more piercing statutes daily, to chain up and restrain the poor. If the wars eat us not up, they will; and there's all the love they bear us."—*Coriolanus.*

"This royal throne of kings, this sceptred isle,
This earth of majesty, this seat of Mars,
This other Eden, demi-paradise;
This fortress, built by nature for herself
Against infection, and the hand of war;
This happy breed of men, this little world,
This precious stone set in the silver sea,
Which serves it in the office of a wall,
Or as a moat defensive to a house,
Against the envy of less happier lands;
This blessed plot, this earth, this realm, this England,
This nurse, this teeming womb of royal kings,
Fear'd by their breed, and famous by their birth,
This land of such dear souls, this dear dear land,
Dear for her reputation through the world,
Is now leased out—
Like to a tenement or pelting farm!
England, bound in with the triumphant sea,
Whose rocky shore beats back the envious siege,
Of watery Neptune, is now bound in *with shame,*
With inky blots, and rotten parchment bonds;
That England, that was wont to conquer others,
Hath made a shameful conquest of itself!"

King Richard II.

KING JAMES I. p. 86.—"The natural sickness that hath even troubled and been the decay of all the churches since the beginning of the world (changing the candlestick from one to another, as John saith), hath been—*pride, avarice, and ambition.*"—*Basilikon Doron,* 1616.

"A king, governing in a settled kingdom, leaves to be a king, and degenerates into a tyrant, as soon as he leaves off to rule according to his laws. Therefore all kings that are not tyrants, or perjured, will be glad to bound themselves within the limits of the laws; and they that persuade them the contrary, are vipers, pests, both against them and the commonwealth."—*Speech to his Parliament,* 1609.

JOHN BRADSHAW, p. 92.—"The following epitaph is often seen pasted up in the houses of North America. It throws some light upon the principles of the people, and may in some measure account for the asperity of the war

carrying on against them. The original is engraved upon a cannon at the summit of a steep hill near Martha Brae in Jamaica.

Stranger!
Ere thou pass, contemplate this cannon,
Nor regardless be told,
That near its base lies deposited the dust
Of JOHN BRADSHAW;
Who nobly superior to selfish regards,
Despising alike the pageantry of courtly splendour,
The blast of calumny,
And the terrors of royal vengeance,
Presided in the illustrious band of Heroes and Patriots
Who fairly and openly adjudged
Charles Stuart
Tyrant of England
To a public and exemplary death;
Thereby presenting to the amazed world,
And transmitting down through applauding ages,
The most glorious example
Of unshaken virtue,
Love of Freedom,
And impartial justice,
Ever exhibited on the blood-stained theatre
Of human actions.
Oh, reader,
Pass not by, till thou hast blest his memory!
And never, never, forget,
That Rebellion to Tyrants,
Is Obedience to God."

Memoirs of Thomas Hollis, 1780.

BARCLAY, p. 105.—"The 'Argenis' of Barclay, a son of the defender of royal authority against republican theories, is a Latin romance, superior, perhaps, to those, after Cervantes, which the Spanish or French language could boast. It has, indeed, always been reckoned among political allegories. That the state of France in the last years of Henry III. is partially shadowed in it, can admit of no doubt; several characters are faintly veiled either by anagram or Greek translation of their names; but whether to avoid the insipidity of servile allegory, or to excite the reader by perplexity, Barclay has mingled so much of mere fiction with his story, that no attempts at a regular key to the whole work, can be successful, nor, in fact, does the fable of this romance run in any parallel stream with real events. His object seems, in a great measure, to have been the discussion of political questions in feigned dialougue. But though in these we find no want of acuteness or good sense, they have not, at present, much novelty in our eyes; and though the style is really pleasing, or, as some have judged, excellent, and the incidents not ill-contrived, it might be hard to go entirely through a Latin romance of 700

pages, unless, indeed, we had no alternative given but the perusal of similar works in Spanish or French. The 'Argenis' was published at Rome in 1622; some of the personages introduced by Barclay are his own contemporaries; a proof that he did not intend a strictly historical allegory of the events of the last age. The 'Euphormio' of the same author resembles, in some degree, the 'Argenis,' but with less of story and character, has a more direct reference to European politics. It contains much political disquisition, and one whole book is employed in a description of the manners and laws of different countries, with no disguise of names."—*Hallam's Hist. Lit. vol. iii. p.* 165.

A work somewhat similar to the "Terra Australis" of Hall, was written, about 1602, by Francis Godwin, a clergyman. It is called "The Man in the Moon." It was translated into French, and, it is said, became the model of Cyrano de Bergerac.

NICOLAS BRETON, wrote a work, in 1616, called "The Good and the Bad." He says, "An unworthy councellor is the hurt of a king, and the danger of a state, when the weakness of judgment may commit an error, or the lack of care may give way to unhappiness. He is a wicked charm in the king's ear, a sword of terror in the advice of tyranny. His power is perilous in the partiality of will, and his heart full of hollowness in the protestation of love. Hypocrisy is the corner of his counterfeit religion, and traitrous invention is the agent of his ambition. He is the cloud of darkness that threateneth foul weather; and if it grows to a storm, it is fearful where it falls. He is an enemy to God in the hate of grace, and worthy of death in disloyalty to his sovereign; in sum, he is an unfit person for the place of a councellor, and an unworthy subject to look a king in the face."

ANTHONY ASCHAM, published a work, in 1649, entitled, "Of the Confusions and Revolutions of Governments." The following is a passage from it. "There are some kingdoms which are considered for the king and his benefit alone; and cannot properly call such *commonwealths*, because there is no *community*—neither of law, nor of any right, between prince and people; but as the old Roman slaves, so those subjects, *non habent capita in jure;* or as those who were anciently excommunicated, of whom it was said, that they had wolves' heads, that is, men might kill them as pardonably as they might wolves; these, likewise, had no community or pastification of right, excommunication then being more than a bare putting out of table commons. Such subjects as these, though they be knawed to the bones, and that their books of laws be but books of account for the prince's demanding their whole fortunes, yet they have not the right scarce of a sigh; they must bring their tributes to their Cæsar, like the mute fish in the gospel, and afterwards are as sure as it, to pay their lives into the contribution."

LIBERTY OF CONSCIENCE, p. 108.—Liberty of conscience ought to be allowed; Because, the general and universal royal law of Christ commands it: "All things whatsoever ye would that men should do to you, do ye even so to them." That which every man would have and receive from another, he ought, by Christ's rule, to give and allow to another:—but every man is willing to have the liberty of his own conscience, therefore he ought to allow it to another.

Because, all obedience or service that is obtained by force, is for fear of wrath, and not from love, nor for conscience sake; and therefore will but continue as long as that force or fear abides upon them.

Because, that by forcing, no man can make a hypocrite to be a true believer; but on the contrary, many may be made hypocrites.

Because, that in all forced impositions upon men's consciences, there is something of the wrath of man exercised—which works not the righteousness of God, but rather begets enmity in the heart, one towards another.

Because, persecution for conscience sake, contradicts Christ's charge, who bids, that the tares (or false worshippers) be suffered to grow together in the field (or world) till the harvest (or end of the world). And force is contrary to the end for which it is pretended to be used—the preservation and safety of the wheat; which end is not answered by persecution, because the wheat is in danger to be plucked up thereby, as Christ saith.

Because, they that impose on men's consciences, exercise dominion over men's faith; which the apostles denied, saying, they had not dominion over any man's faith.

Because, there is but one judge, lawgiver, and king, in and over the conscience: and whosoever would intrude, so as to be judge and lawgiver over the conscience. intrencheth upon the prerogative of Christ.

Because toleration of different persuasions in religion, was allowed in the Jewish state, as not inconsistent with their safety; and that in things very contrary to each other—as the Sadducees, Pharisees, Essæans, Herodians, and others.

Because, if the magistrate imposeth upon the conscience, he must do it either as a *magistrate* or as a *christian*. Not as a magistrate; for the heathens, being magistrates, have the same power to impose, and so by revolutions and conquest may come to give laws to christians, and compel them to idolatry. Not as christians; for that contradicts Christ's saying, "The kings of the Gentiles exercise lordship over them—but it shall not be so among you, for all ye are brethren."

Because, the strength of truth, and its conquest over falsity and deceit, is best discovered by letting both have their liberty from outward compulsion. For had outward force been less used, the prevalency of truth had been more manifest, and that wise saying experienced in the world, "That which is of God will stand—and that which is not will come to nothing."

Because, to impose upon man's consciences, and to destroy their persons for difference in religion, is contrary to the end of Christ's coming; who saith —he came not to destroy men's lives, but to save them.

Because, the disciples of Christ are rebuked by him, for desiring the destruction of those that were contrary to him, and would not receive him; which zeal is sharply reproved in his saying—they knew not what spirit they were of.

Because, people of different religions in one nation, if not tolerated, must some of them be destroyed or removed by banishment. If destroyed, the constancy and patience of the sufferers for their faith, moving pity and commiseration, makes men more ready to own that to reject their faith; and so

rather multiplies than lessens the number of its professors: if banished, this renders the banished as so many enemies abroad, ready upon all occasions, to disturb the peace and tranquillity of their native country.—*Liberty of Conscience, &c.*, 1661.

MARCHANT NEEDHAM, p. 121.—"And since it is of unavoidable necessity, that while the world stands there will be divisions of opinion, certainly such a course must needs be most rational, as shall provide ways of remedy against such inconveniences as may follow them, rather than inventions of torture and torment to thwart and stifle them; because the understandings of men can no more be compelled than their wills, to approve what they like not. So that it appears plainly the great pretenders of national uniformity in religion, (those high imperious uniformity mongers that would have men take measure of all opinions by their own) are the greatest disturbers of states and kingdoms; and seem of the same strain with the tyrant Mezentius, who if his guests where too long for his couch, cut them shorter; and if they happened to be too short, he had engines of torture to stretch them longer, being resolved to fit them all to his own measure and humour."—*The Case of the Commonwealth of England Stated, &c.*

"The royalists are of two sorts: 1st such as adhere to the prince out of necessity; 2nd such as adhere to him out of humour. The former are those, who being hopeless of a return, or of the recovery of their fortunes, by way of reconcilement are constrained to run any hazard abroad with the head of their party, and turn every stone to overturn the present powers here in England, that they may set up themselves. The latter sort of royalists are such, as though they served heretofore under the royal standard, yet through the favour of the parliament have regained possession of their estates; and therefore being reinvested with their fortunes, they are loth as yet to attend the prince in person, though they follow him with their wishes, and would be glad to embrace any design underhand, or perhaps, when time serves, appear here again in the field, to make way for his advancement. These may, not improperly, be called humourous loyalists, because they have only an obstinate and vain-glorious humour for the ground of their behaviour, without any respect of advantage to themselves, but are ridden by the other to carry on the high-royal design of particular persons, and run a new hazard of their own. To restore the family of a prince, suppressed by the Almighty, they seem willing to venture the destruction of all their own families; and to serve the ends of certain persons about him—men, whose fortunes are desperate—they are apt to fool themselves into the loss of their own, as they must needs do if the prince miscarry in his enterprize; whereas if he should carry it with success, they will be then but where they where; they can be but masters of what they have already. The high ranters and fugitives are they that will be looked on at Court. Those bellwethers of royalty will bear away the bell of preferment; whilst the poor country royalists, both gentry and yeoman, shall be glad to drudge and plough, to pay those yet unknown taxations, which must needs be collected to satisfy the forlorn brethren of the sword, the many younger brothers, and strangers, which will come in with the grandees in hope to purchase a fortune by squeezing the public."—*Marchamont Nedham. The Case of the Commonwealth of England fairly stated*, 1650.

JOHN MILTON, p. 127.—"What should ye do, then? Should ye suppress all this flowery crop of knowledge and new light sprung up, and yet *springing* daily in this city? Should ye set an oligarchy of twenty engrossers over it, to bring a famine upon our minds again, when we shall know nothing but what is measured to us by their bushel? Believe it, Lords and Commons!—they who counsel you to such a suppressing, do as good as bid ye suppress yourselves; and I will soon show how. If it be desired to know the immediate cause of all this free writing and free speaking, there cannot be assigned a truer than your own mild, and free humane government; it is the liberty, Lords and Commons! which your valorous and happy counsels have purchased us; liberty, which is the nurse of all great wits; this is that which hath rarefied and enlightened our spirits, like the influence of heaven; this is that which hath enfranchised, enlarged, and lifted up our apprehensions, degrees above themselves. Ye cannot make us now, less capable, less knowing, less eagerly pursuing of the truth, unless ye first make yourselves, that made us so, less the lovers, less the founders of our true liberty. We can grow ignorant again, brutish, formal, and slavish, as ye found us; but you then must first become—what ye cannot be—oppressive, arbitrary, and tyrannous, as they were from whom ye have freed us. That our hearts are now more capacious, our thoughts more erected to the search and expectation of greatest and exactest things, is the the issue of your own virtue propagated in us: ye cannot suppress that, unless ye reinforce an abrogated and merciless law, that fathers may dispatch at will their own children. And who shall then stick closest to ye, and excite others? Not he who takes up arms for coat and conduct, and his four nobles of Danegelt. Although I dispraise not the defence of just immunities, yet love my peace better, if that were all. *Give me the liberty, to know, to utter, and to argue freely according to conscience, above all liberties.*—"*Areopagitica, a Speech for the Liberty of unlicensed Printing*, 1644.

"Most certain it is (as all our stories bear witness) that ever since their (*the prelates*) coming to the see of Canterbury for near 1200 years—to speak of them in general, they have been in England to our souls—a sad and doleful succession of illiterate and blind guides, to our purses and goods—a wasteful band of robbers—a perpetual havoc and rapine, to our state—a continual hydra of mischief and molestation—the forge of discord and rebellion: this is the trophy of their antiquity, and boasted succession through so many ages: and for those prelate-martyrs they glory of, they are to be judged what they were by the gospel and not the gospel by them."—*Of Reformation in England*, 1641.

REV. SAMUEL JOHNSON, p. 147.—"1. There is no natural obligation, whereby one man is to yield obedience to another, but what is founded in paternal or patriarchal authority. 2. All the subjects of the patriarchal monarch are princes of the blood. 3. All the people of England are not princes of the blood. 4. No man who is naturally free, can be bound but by his own act and deed. 5. Public laws are made by public consent, and they therefore bind every man, because every man's consent is involved in them. 6. Nothing but the same authority and consent which made the laws, can repeal, alter, or explain them. 7. To judge and determine causes against law, without law, or where the law is

obscure and uncertain, is to assume legislative power. 8. Power assumed without a man's consent cannot bind him as his own act and deed. 9. The law of the land is all of a piece; and the same authority which made one law, made all the rest, and intended to have them impartially executed. 10. Law on one side is the backsword of justice. 11. The best things, when corrupted, are the the worst; and the wild justice of a state of nature, is much more desirable than law perverted and over-ruled into hemlock and oppression."—*A Second Five Years' Struggle against Popery and Tyranny*, 1686.

"The old popish clergy were Englishmen, and were in at Magna Charta; and the lawyers can best tell, whether the cathedrals they left behind them are not since forfeited, for the not reading Magna Charta publicly to the people every year, as is enjoined by two acts of parliament; for which reason they were each of them entrusted with a record of those English rights. I do not now speak of that charter's being continually preached down. I love the memory of the Abbot of St. Alban's, in William, the Norman duke's time, who not being satisfied with William's title, when he was marching his army towards that place, felled all the trees cross the road, and laid blocks in his way, and harassed all his army: and when the duke asked him, why he did so? he answered, *Because he knew no business the Norman had there:* and if all honest Englishmen had done the same, he had never come so far as St. Alban's to ask him that question. I admire too the presence of mind of the prior of Clerkenwell, in the time of Henry III., (as I take it—it is in history) when in a dispute about a point of right, the king meant to overawe him, by saying, in King James's way to the Magdalen College-men, 'Am I not your king?' '*Yes,*' says the prior, '*While you govern according to law, but no longer.*'"—*An Argument on the Abrogation of King James, &c., (in the Prefatory Address to the Commons,)* 1689.

"Now to strip it out of Laud's disguising cant of 'an obscure birth and ill nursing,' the plain notion of Magna Charta is this:—It is a summary of the native and inherent rights of Englishmen, which the Norman kings, by granting afterwards by charter, bound themselves not to break in upon and invade; so that it was only a Norman-fashioned security, that these rights should not be violated. But we do not hold those rights by charter,—no, not by the old dear-bought parchment and wax;—for they are the birthright of Englishmen, which no kings could ever give or take away:—they are, (as they are called by Edward III.) '*the franchises of the land,*' and every Englishman, by being born in the land, is born to them. And these original rights being a better inheritance to every Englishman than his private patrimony (how great so ever), and being transmitted down to posterity by the hard labour, the sweat and blood of our ancestors,—they are the *children's bread:* and it is not meet for us to take the children's bread, and to cast it away."—*A Vindication of Magna Charta*, 1697.

ANDREW MARVEL, p. 149.—"There is, I confess, a measure to be taken in these things, and it is indeed to the great reproach of human wisdom, that no man for so many ages has been able or willing to find out the temper of government in divine matters. For it appears at the first sight, that men ought to enjoy the same property and protection in their consciences, which they have in their lives, liberties and estates: but that to take away these in penalty for the other is merely a more legal and genteel way of *padding* up on the road of

heaven, and that it is only for want of money and for want of religion, that men take those desperate courses. Nor can it be denied, that the original law upon which christianity at the first was founded, does indeed expressly provide against all such severity. It was by the humility, meekness, love, forbearance, and patience, which were part of that excellent doctrine, that it became at last the universal religion; and can no more by any other means be preserved, than than it is possible for another soul to animate the same body."—*Of the growth of popery and arbitrary government in England*, 1677.

"But with shame be it spoken, the Spartans obliging themselves to Lycurgus's laws till he should come back again, continued under his most rigid discipline above twice as long as the christians did endure under the gentlest of all institutions, though with far more certainty expecting the return of their divine legislator. Insomuch that it is no great adventure to say, that the world was better ordered under the ancient monarchies and commonwealths, that the number of virtuous men was then greater, and that the christians found fairer quarter under those than among themselves: nor hath there any advantage accrued unto mankind from that most perfect and practical model of human society, except the speculation of a better way to future happiness, concerning which the very guides disagree, and of those few that follow it will suffer no man to pass without paying at their turnpikes. All which hath proceeded from no other reason, but that men, instead of squaring their governments by christianity, have shaped christianity by the measures of their government, have reduced that straight line by the crooked, and (bungling divine and human things together) have been always hacking and hewing one another, to frame an irregular figure of political incongruity.—For wheresoever either the magistrate, the clergy, or the people, could gratify their ambition, their profit, or their fancy, by a text improved or misapplied, *that* they made use of,—though against the consent, sense and immutable precepts of scripture: and because obedience for conscience was there prescribed,—the less conscience did men make in commanding; so that several nations have little else to show for their christianity, (which only requires instruction and example,) but a parcel of severe laws concerning opinion, or about the modes of worship, not so much in order to the power of religion, as over it."—*Ibid.*

JOHN GODWIN, p. 138.—"The premises from first to last considered, that doctrine which perogativeth kings above the stroke of human justice, by reason of their being unaccountable to men for whatsoever they do, (which the parliament taketh notice in their declaration of March 17, 1648, to have been the late king's assertion,) appears to be very extravagant, and eccentrical to all principles both of reason and religion. Such an unaccountable officer, (as the said declaration well expresseth it,) were a strange monster to be permitted by mankind. For if the main ground for erecting administrations and courts of human judicature, in all politics and states whatever, be both in reason and religion, to succour and protect those who live justly and peaceably, against the violence and injustice of oppressors and unjust men, it must needs be contrary unto both, to exempt such persons from the jurisdiction of these courts and administrations, as have always the greatest opportunities and temptations, and for the most part, the strongest bent of

disposition and will, to practice such unrighteousness and oppression."—*The obstructors of Justice*, 1649.

HOBBES, p. 142.—"It is chiefly in a moral and political point of view that the theories of Hobbes should be examined. In order to seize their connexion, it is necessary first to take notice of two fundamental consequences which he deduces from his principle concerning the origin of knowledge.

"The first, relative to the intelligence, is this: all words which express the incorporeal, the infinite, have no meaning for the human mind, because they represent something not represented by sensations. They ought to be banished from philosophy as vain phantoms. He admits, however, that in virtue of the law of association, which unites the sensations, and which leads the human mind to ascend from cause to cause, we arrive at the idea of God as a physical cause, although the whole notion of the divine nature is absolutely intelligible.

"The second consequence, relative to the will, is that there exists no other motive to the will than sensations of pleasure and pain, or the complex notions of happiness and misery which we form by generalising our sensations.

"In a word, sensation, or, to speak in the language of Hobbes, *sension*, as passive, is the matter of the intelligence; as active, the motive force of the will.

"Now the desires, the appetites, by which each individual inclines to enjoyments, produces two general and opposite results. This desire is of right unlimited; for we cannot conceive it as limited in point of right except by subordinating it to a moral law which is not derived from sensations, and which for that reason is chimerical, at least relative to man. Every man has, then, naturally a right to everything; he has the right to acquire everything he desires; and as each individual cannot acquire everything, possess everything, except at the expense of the happiness of others, it follows that men are naturally in a state of war. See the immediate consequence of the law of enjoyment as the sole law of man.

"But, on the other hand, this state of war is destructive to security, enjoyment, and life. Consequently, the desire of enjoyment urges man to come out from this state. Now war resulting from the absolute and reciprocal independence of individuals, men cannot emerge from the primitive state of war but by renouncing their independence, and by constituting a public force whose will shall prevail over all other wills. Hence the social condition, the state, which may be established in two ways, because the sovereign force may be established in the way of institution, as when it results from a free contract, or in the way of acquisition, as when one or many individuals by violence compel other individuals to submit to their will; and, since the object to which humanity should tend, that is, the cessation of war, is attained in the second place as well as in the first, the state founded in a consent violently obtained is as legitimate as the state founded in a free convention. It results from all this that the desire of enjoyment, although unlimited in point of right in a state of nature, must be limited in point of fact in a social state in order to attain

its end. See the second consequence, which is a mediate consequence of the law of enjoyment.

"The theory of Hobbes supposes, then, radically a state of contradiction, of opposition, of war, not only between the individuals who compose mankind, but also between the elements of human nature itself.

"Setting out with the equality of rights, founded solely upon the desire of enjoyment, Hobbes arrives at the destruction of all liberty. He lays down as a principle absolute independence, and establishes as a consequence absolute despotism; for the public force in his system is nothing but despotism conceived in its greatest strictness and extension.

"In fact, the public force can be limited neither by religious law, nor by moral law, nor by civil law. It cannot be limited by religious law; religion relates to objects lying beyond the domain of human intelligence: there can, therefore, be no other reason for preferring one kind of worship to another than the public utility, which is determined by the public force, which thus rules religion, and is not ruled by it. The public force cannot be limited by moral law. In the primitive state of war, every one having a right to everything, there is neither justice nor injustice, neither right nor wrong. In the social state, morality is nothing but the public utility; and here again it is to the sovereign public force it belongs to decide what is just or unjust; give this right to individuals, and the public force is destroyed. Finally, it cannot be limited by civil law, since civil law is nothing but an arrangement of means destined to secure the observance of the law of justice as it is arbitrarily understood and defined by the sovereign public force. Thus the public force is bound by no law whatever. It could not be limited in any degree without falling again, at least partially, into the state of war from which man emerged by society. This is also the reason why the bad administration of a state gives no right of overthrowing the governing force.

"Such an overturn causes the state to retrograde to the condition of war or the destruction of society, and the worst social state is better than its destruction. Only it may happen that the public force falls to dissolution; then the social compact is likewise dissolved, and men return of necessity to independence and war in order to arrive again at a social state, that is, to a universal and absolute submission to a public force adequate to maintain the peace.

"Hobbes blends with this theory maxims concerning the necessity of faithfully observing agreements and other obligations of justice and mutual benevolence. He shows very clearly that society could not exist but by the application of these maxims; but in his system, which radically abolishes the idea of rights and duties, we can find no conceivable root of any obligation whatever.

"Summarily, this system is social materialism. This character is manifest even in the terms employed by Hobbes to define the notion of philosophy. Setting out with sensations, he makes the sole object of philosophy to be the study of *bodies*, which he distinguishes into two classes, *natural bodies* and *political bodies*. Physics, taken in an extended sense, becomes then the sole science, whose universal instrument is reasoning, reduced, as we have seen, to mathematical processes. In his political theories Hobbes goes into one branch of that science which modern materialists have called *social physics*."

SAMUEL BUTLER, p. 146.

"Authority intoxicates
And makes mere sots of magistrates:
The fumes of it invade the brain,
And make men giddy, proud, and vain:
By this, the fool commands the wise,—
The noble with the base complies,—
The sot assumes the rule of wit,—
And cowards make the base submit."

Miscellaneous Thoughts, 1660.

"*How various and innumerable*
Are those who live upon the RABBLE?
'Tis *they* maintain the church and state,
Employ the priest and magistrate,
Bear all the charge of government,
And pay the public fines and rent;
Defray all taxes and excises
And impositions of all prices;
Bear all the expense of peace and war,
And pay the pulpit and the bar;
Maintain all churches and religions,
And give their pastors exhibitions;
And those that have the greatest flocks—
Are primitive and orthodox;
Support all schismatics and sects,
And pay 'em for tormenting texts;
Take all their doctrine off their hands,
And pay 'em in good rents and lands;
Discharge all costly offices,
The doctor's and the lawyer's fees,
The hangman's wages and the scores
Of caterpillar bawds and whores;
Discharge all damages and costs
Of knights and squires of the post,
All statesmen, cutpurses, and padders,
And pay for all their ropes and ladders;
All pettifoggers, and all sorts
Of mercats, churches, and of courts;
All sums of money paid and spent,
With all the charges incident,
Laid out, or thrown away, or given—
To purchase this world, hell, or heaven."

Miscellaneous Thoughts, (*circa*) 1660.

"As those that are stark blind, can trace
The nearest ways from place to place,
And find the right way easier out
Than those that hood-wink'd try to do't:

So tricks of state are manag'd best
By those that are suspected least,
And greatest finesse brought about
By engines most unlike to do't."

Miscellaneous Thoughts, 1660.

SIR JOHN HARRINGTON, p. 157.—"The errors and sufferings of the people are from their governors.

"The monarchy of England was not a government by arms, but a government by laws, though imperfect or ineffectual laws.

"The people cannot see, but they can feel.

"Where the spirit of a people is impatient of a government by arms, and desirous of a government by laws; there, the spirit of the people is not unfit to be trusted with their liberty.

"Where the security is no more than personal, there may be a good monarch, but can be no good commonwealth

"Assemblies legitimately elected by the people, are that only party which can govern without an army.

"The people are deceived by names, but not by things.

"Where there is a well-ordered commonwealth, the people are generally satisfied. Where the people are generally dissatisfied, there is no commonwealth.

"Where civil liberty is entire, it includes liberty of conscience. Where liberty of conscience is entire, it includes civil liberty.

"To make principles of fundamentals, belongs not to men, to nations, nor to human laws. To build upon such principles or fundamentals as are apparently laid by God in the inevitable necessity or law of nature, is that which truly appertains to men, to nations, and to human laws. To make any other fundamentals and then build upon them, is to build castles in the air.

"The highest earthly felicity that a people can ask, or God can give, is a well-ordered commonwealth."—*Political Aphorisms*, 1659.

"A people that can live of themselves, neither care for king nor lords, except through the mere want of inventing a proper way of government; which, till they have found, they can never be quiet; wherefore to help a people at this streight, is both the greatest charity to our neighbours, and the greatest service a man can do for his country."—*A Parallel of the Spirit of the People, &c.*, 1659.

"Lords spiritual are inspired with a third estate or share of a realm, which gives no toleration to any religion, but that only asserting this point which is monarchy. Setting this oracle and some like reasons of state aside, we may think that every sovereignty (as such) has liberty of conscience: this a king having, cannot give; and a people having, will not lose. For liberty of conscience is in truth a kind of state, wherein a man is his own prince. but a House of Peers sets up another prince—it cannot stand without a king. If the balance be in the lords, as before Henry VII., yet must they have a king to unite them, and by whom to administer their government: and if the balance be not in the lords, they stand or fall with the king—as the House of Peers in the long parliament—and the king falling, their government

devolves to the people. Again, a House of Peers having the over-balance, signifies something; in which case it has not been known to be for liberty of conscience; and not having the over-balance, signifies nothing; in which case it cannot secure the liberty of conscience. Thus a House of Peers, whether something or nothing, is no way for the liberty of conscience; but every way for a king; and a king is a defender of the faith. The faith whereof a king is defender, must be that which is, or he shall call, his own faith; and this faith it concerns his crown and dignity, that he defend against all other faith. True it is, that a king for a step to a throne, may use what is readiest at hand; otherwise, where there is liberty of conscience, to assert civil liberty by scripture can be no atheism—which lames a prince of one arm. But where liberty of conscience is not at all, or not perfect, divines—who for the greater part are no fair huntsmen, but love dearly to be poaching or clubbing with the secular arm (though if we, who desire no such advantages, might prosecute them for abusing scripture, as they have done this thousand years, to all the ends, interests, and purposes of monarchy, they would think it a hard case), divines, I say, not only brand the assertors of civil liberty with atheism, but are some of them studious in contrivances and quaint in plots, to give a check or remove to this or that eminent patriot, by the like pretences or charges; which succeeding accordingly by the power of a parliament, they may at length come to have a parliament in their power. Where there is no liberty of conscience, there can be no civil liberty; and where there is no civil liberty, there can be no security to liberty of conscience; but a House of Peers is not only a necessary, but a declared check upon civil liberty, therefore, it can be no scurity to liberty of conscience."—*A Word concerning a House of Peers*, 1659.

ALGERNON SYDNEY, p. 161.—*Lord Chief Justice Jefferies.* Mr. Sydney, I must tell you, that though you seem to arraign the justice of the court, and the proceeding—

Colonel Algernon Sydney. I must appeal to God and the world. I am not heard.

L. C. J. Appeal to whom you will. I could wish with all my heart, that instead of appealing to the world, as though you had received something extreme hard in your case, you would appeal to the great God of heaven, and consider the guilt you have contracted by the great offence you have committed. I could wish, that as a gentleman and a christian, you would consider under what particular obligations you lie to our gracious king that hath done so much for you. Mr. Sydney, you are a gentleman of quality, and need no counsel from me: if I could give you any, my charity to your immortal soul would provoke me to it. I pray God season this affliction to you! There remains nothing with the court, but to pronounce that judgment which is expected, and the law requires,—and therefore the judgment of the court is,

"That you be carried hence to the place from whence you came, and from thence you shall be drawn upon a hurdle to the place of execution, where you shall be hanged by the neck, and being alive, cut down; your privy members shall be cut off and burned before your face; your head severed from

your body, and your body divided into four quarters, and they to be disposed at the pleasure of the king. And the God of infinite mercy have mercy upon your soul!"

Col. Sydney. Then O God! O God! I beseech thee to sanctify these sufferings unto me, and impute not my blood to the country, nor to the city through which I am to be drawn: let no inquisition be made for it, but if any, (and if the shedding of blood that is innocent, must be revenged,) let the weight of it fall upon those that maliciously persecute me for righteousness' sake.

L. C. J. I pray God work in you a temper fit to go unto the other world, for I see you are not fit for this.

Col. Sydney, (*stretching forth his hand*) My lord! feel my pulse, and see if I am disordered. I bless God, I never was in better temper than I am now.

The Trial of Algernon Sydney, 26th, Nov. 1683.

"If the means for preventing slavery have not been provided in the first constitution of a country, or, from the changes of the times, corruption of manners, insensible encroachments, or violent usurpations of princes, have been rendered ineffectual, and the people exposed to all the calamities that may be brought upon them by the weakness, vices, and malice of the prince, or those who govern him, I confess the remedies are more difficult and dangerous; but even in these cases, they must be tried. Nothing can be feared, which is worse than what is suffered, or must in a short time fall upon those who are in this condition. They who are already fallen into all that is odious, shameful, and miserable, cannot justly fear. When things are brought to such a pass, the boldest counsels are the most safe; and if they must perish who lie still, and they can but perish who are more active, the choice is easily made. Let the danger be never so great, there is a possibility of safety whilst men have life, hands, arms, and courage to use them; but that people must certainly perish, who tamely suffer themselves to be oppressed, either by the injustice, cruelty, and malice of an ill magistrate, or by those who prevail upon the vices and infirmities of weak princes. It is vain to say, that this may give occasion to men of raising tumults, or civil war; for though these are evils, yet they are not the greatest of evils. Civil war, in Machiavel's account, is a *disease*, but tyranny is the *death* of a state. Gentle ways are the first to be used; and it is best if the work can be done by them, but it must not be left undone if they fail. It is good to use supplications, advices, and remonstrances; but those who have no regard to justice, and will not hearken to counsel, must be constrained."—*Algernon Sydney. Discourses on Government,* 1697.

JOHN LOCKE, p. 100.—"But if these illegal acts, on the part of the chief magistrate, have extended to the majority of the people, or if the mischief and oppression have lighted only on some few, in such cases, however, as the precedent and consequences seem to threaten all; and they are persuaded in their consciences, that their laws, and with them their estates, liberties, and lives, are in danger; and perhaps their religion too; how they will then be hindered from resisting illegal force used against them, I cannot tell. This is an inconvenience, I confess, that attends all governments whatsoever, when the governors have brought it to such a pass, as to be generally suspected of their people; the most dangerous state they can possibly put themselves in; wherein they are

less to be pitied, because it is so easy to be avoided; it being as impossible for a governor, if he really means the good of his people, and the preservation of them and their laws together, not to make them see and feel it, as it is for the father of a family, not to let his children see that he loves and takes care of them. But if all the world shall observe pretences of one kind, and actions of another; acts used to elude the law; and the trust of prerogative, which is an arbitrary power in some things, left in the prince's hands to do good, not harm to the people, employed contrary to the end for which it was given: if the people shall find the ministers and subordinate magistrates chosen suitable to such ends, and favoured or laid by proportionably as they promote or oppose them: if they see several experiments made of arbitrary power, and the operators in it supported as much as may be, and when that cannot be done, yet approved still and liked the better; and if a long train of actions shows the counsels all tending that way, how can a man any more hinder himself from being persuaded in his own mind, which way things are going, or from casting about how to save himself, than he could from believing that the captain of the ship he was in, was carrying him and the rest of the company to Algiers, when he found him always steering that course, though cross winds, leaks in his ship, or want of men and provisions, did often force him to turn his course another way for a while, to which he steadily returned again, as soon as the wind, weather, or other circumstances would let him."—*Treatise on Goverment*, 1600.

"*Despotical Power*—is an absolute arbitrary power one man has over another,—to take away his life whenever he pleases. This is a power, which neither nature gives, for it has made no such distinction between one man and another, nor compact can convey—for man not having such an arbitrary power over his own life, cannot give another man such a power over it: but it is the effect only of forfeiture which the aggressor makes of his own life, when he puts himself into the state of war with another. For having then quitted reason, (which God hath given to be the rule betwixt man and man, and the common bond whereby human kind is united into one fellowship and society,) and having renounced the way of peace which that teaches, and made use of the force of war to compass his unjust ends upon another—where he has no right,—and so revolting from his own kind to that of beasts—by making force, which is *theirs*,—to be *his* rule of right; he renders himself liable to be destroyed by the injured person and the rest of mankind that will join with him in the execution of justice, as any other wild beast or noxious brute, with whom mankind can have neither society nor security. And thus, captives taken in a just and lawful war, (and such only) are subject to a despotical power; which, as it arises not from compact, so neither is it capable of any, but is the state of war continued; for what compact can be made with a man that is not master of his own life? what condition can he perform? and if he be once allowed to be master of his own life, the despotical arbitrary power of his master ceases. He that is master of himself and his own life, has a right too, to the means of preserving it; so that, as soon as compact enters, slavery ceases; and he so far quits his absolute power, and puts an end to the state of war, who enters into conditions with his captive."

"The being rightfully possessed of great power and riches, exceedingly be-

yond the greatest part of the sons of Adam, is so far from being an excuse—much less a reason—for rapine and oppression, (which the endamaging another, without authority, is) that on the contrary it is a great aggravation of it. For the exceeding the bounds of authority is no more a right in a great, than in a petty officer; no more justifiable in a king, than in a constable; but is so much the worse in the former, in that he had more trust put in him, has already a much greater share than the rest of his brethren, and is supposed, from the advantages of his education, employment, and counsellors, to be more knowing in the measures of right and wrong."—*Two Treatises on Government*, 1690.

"As usurpation is the exercise of power which another hath a right to, so tyranny is the choice of exercise beyond right, which nobody can have a right to. And this is making use of the power any one has in his hands, not for the good of those who are under it, but for his own private separate advantage, when the governor (however entitled) makes not the law, but his will, the rule: and when his command and actions are not directed to the preservation of the properties of his people, but to the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion."—*Ibid.*

JOHN TRENCHARD wrote a work, in 1697, called "An Argument Showing that a Standing Army is inconsistent with a Free Government." The following passage will show the nature of the treatise. "But I desire to know of these patriots, how comes an army necessary to our preservation now, and never since the conquest before? Did ever the prevailing party in the wars of York and Lancaster attempt to keep up a standing army to support themselves? No. They had more sense than to sacrifice their own liberty, and more honor than to enslave their country, the more easily to carry on their own faction. Were not the Spaniards, as powerful, as good soldiers, and as much our enemies, as the French are now? Was not Flanders as near us as France—and the popish interest in Queen Elizabeth's time as strong as it is now? And yet that most excellent princess never dreamt of a standing army, but thought her surest empire was to reign in the hearts of her subjects, which the following story sufficiently testifies. When the Duke of Alenson came over to England, and for some time had admired the riches of the city, the conduct of her government, and the magnificence of her court,—he asked her, amidst so much splendour where were her guards? Which question she resolved, a few days after, as she took him in her coach through the city; when, pointing to the people, who received her in crowds with repeated acclamations, 'These,' said she, 'my lord, are my guards. These have their hands, their hearts, and their purses, always ready at my command.' And these were guards, indeed, who defended her, through a long and successful reign of forty-four years against all the machinations of Rome, the power of Spain, a disputed title, and the perpetual conspiracies of her own popish subjects;—a security the Roman emperors could not boast of, with all their Prætorian bands and their eastern and western armies."

NOTE B, p. 211.

THE CHESSE PLAY,—

A secret many yeeres unseene,
In play at chesse, who knowes the game;
First of the King, and then the Queene,
Knight, Bishop, Rooke, and so by name,
Of everie Pawne I will descrie,
The nature with the qualitie.

The King.

The King himselfe is haughtie care,
Which overlooketh all his men;
And when he seeth how they fare,
He steps among them now and then,
Whom, when his foe presumes to checke,
His servants stand, to give the necke.

The Queene.

The Queene is queint, and quicke conceit,
Which makes hir walke which way she list,
And rootes them up, that lie in wait
To worke hir treason ere she wist;
Hir force is such against her foes,
That whom she meetes, she overthrowes.

The Knight.

The Knight is knowledge how to fight
Against his Prince's enemies,
He never makes his walke outright,
But leaps and skips in wilie wise,
To take by sleight a traitrous foe
Might slilie seeke their overthrowe.

The Bishop.

The Bishop he is wittie braine,
That chooseth crosseth pathes to pace,
And evermore he pries with paine,
To see who seekes him most disgrace;
Such straglers when he finds astraie,
He takes them up, and throwes awaie.

The Rookes.

The Rookes are reason on both sides,
Which keepe the corner houses still,
And warily stand to watch their tides,
By secret arte to worke their will,
To take sometime a theefe unseene,
Might mischiefe meane to King or Queene.

The Pawnes.

The Pawne before the King, is peace
Which he desires to keepe at home,
Practise, the Queene's which doth not cease
Amid the world abroad to roame,
To finde, and falle upon each foe,
Whereas his mistres moanes to goe.

Before the Knight, is peril plac'd,
Which he, by skipping overgoes,
And yet that Pawne can worke a cast,
To overthrow his greatest foes;
The Bishop's prudence, prying still
Which way to worke his master's will.

The Rooke's poor Pawnes, are sillie swaines
Which seeldome serve, except by hap,
And yet those Pawnes can lay their traines,
To catch a great man in a trap:
So that I see, sometime a groome
May not be spared from his roome.

The nature of the Chesse Men.

The King is stately, looking hie;
The Queene doth beare like majestie:
The Knight is hardie, valiant, wise:
The Bishop prudent and precise:
The Rookes no raungers out of raie;
The Pawnes the pages in the plaie.

L'envoy.

Then rule with care, and quicke conceit,
And fight with knowledge as with force;
So beare a braine, to dash deceit,
And worke with reason and remorse.
Forgive a fault when young men plaie,
So give a mate, and go your way.

And when you plaie, beware of checke;
Know how to save and give a necke;
And with a checke beware of mate;
But cheefe ware—had I wist too late,—
Loose not the Queene, for ten to one
If she be lost, the game is gone.

"*The Chesse Play.*" *Very aptly devised by N. B. Gent.* (*From the Phœnix Nest, &c.*), 1593.

NOTE C, p. 261.

FRANCIS HOTTOMAN, p. 220.—"But to come to a matter of greater consequence, wherein the prudence and wisdom of our ancestors does most clearly show itself. Is it not apparent how great and manifest a distinction they made between the *king* and the *kingdom*? For thus the case stands. The king is one principal single person; but the kingdom is the whole body of the citizens and subjects. And Ulpian defines him to be a traitor, who is stirred up with a hostile mind against the commonwealth, or against the prince. And in the Saxon laws, Tit. 3, it is written, 'whosoever shall contrive anything agaist the kingdom or the king of the Franks, shall lose his head.' And again, 'the king has the same relation to the kingdom, that a father has to his family; a tutor to his pupil; a guardian to his ward; a pilot to his ship; or a general to his army.' As therefore a pupil is not appointed for the sake of his tutor, nor a ship for the sake of the pilot, nor an army for the sake of the general—but on the contrary, all these are made such for the sake of those they have in charge; even so the people is not designed for the king, but the king is sought out and instituted for the sake of the people: for a people can subsist without a king, and be governed by its nobility or itself; but it is even impossible to conceive a thought of a king without a people. Let us consider more differences between them. A king, as well as any private person, is a mortal man: a kingdom is perpetual, and considered as immortal, as civilians use to say, when they speak of corporations and aggregate bodies. A king may be a fool or a madman like our Charles VI. who gave away his kingdom to the English; neither is there any sort of men more easily cast down from a sound state of mind, through the blandishments of unlawful pleasures and luxury: but a kingdom has written itself a perpetual and sure principle of safety, in the wisdom of its senators and of persons well skilled in affairs. A king in one battle, in one day, may be overcome or taken prisoner and carried away captive by the enemy, as it happened to St. Louis, to King John, and to Francis the First. But a kingdom, though it has lost its king, remains entire; and immediately upon such a misfortune, a convention is called, and proper remedies are sought by the chief men of the nation against the present mischiefs, which we know has been done upon like accidents. A king, either through infirmities of age, or levity of mind, may not only be misled by some covetous, rapacious, or lustful counsellor—may not only be seduced and depraved by debauched youths of quality, or of equal age with himself—but may be infatuated by a silly wench, so far as to deliver and fling up the reins of government wholly into her power; and few persons, I suppose, are ignorant how many sad examples we have of these mischiefs: but a kingdom is continually supplied with the wisdom and advice of the grave persons that are in it. Solomon, the wisest of mankind, was in his old age seduced by harlots; Rehoboam by young men; Ninus by his own mother, Semiramis; Ptolomeus, surnamed Auletes, by harpers and pipers. Our ancestors left to their kings the choice of their own privy-councillors, who might advise them in the management of their private affairs; but such senators as were to consult in council, and take care of the public administration, and instruct the king in the government of his kingdom, they

reserved to the designation of the 'public convention.'"—*Franco Gallia*, 1574.

"But now we come to the third part of this controversy, in order to understand how great was the right and power of the people, both in making and continuing their kings. And I think it is plainly proved from all our annals, that the highest power of abdicating their kings was lodged in the people. The very first who was created king of Franco-gallia, is a remarkable instance of this power. For when the people had found him out to be a profligate, lewd person, wasting his time in adulteries and whoredoms, they removed him from his dignity by universal consent, and constrained him to depart out of the territories of France; and this was done, as our annals testify, in the year of Christ, 469. Nay, even Eudo, whom they placed in his stead, abusing his power through excessive pride and cruelty, was with the like severity turned out. Which fact we find attested by Gregory of Tours, l. 2, c. 12. Aimoinus, l. 1, c. 7. Godfrey of Viterbo, part 17, c. 1, and Sigibertus, under the years 461 and 469. 'Childeric,' says Gregory, 'being dissolved in luxury when he was king of the Franks, and beginning to deflower their daughters, was, by his subjects, cast out of the throne with indignation; whereupon he, finding they had a design to kill him, fled into Thuringia. But the Abbot of Ursperg says, the people were unwilling to kill him—contented with having turned him out, because he was a dissolute man, and a debaucher of his subjects' daughters.' Sigibertus says, 'Hilderic behaving himself insolently and luxuriously, the Franks thrust him out of the throne, and made Ægidius their king.' And this most glorious and famous deed of our ancestors deserves the more diligently to be remarked, for having been done at the very beginning, and, as it were, in the infancy of that kingdom; as if it had been a denunciation and declaration—that the kings of Franco-gallia were made upon certain known terms and conditions, and were not tyrants, with absolute, unlimited, and arbitrary power."—*Franco Gallia*, 1574.

Hubert Languet, p. 221.—"There is ever, and in all places, a mutual and reciprocal obligation between the people and the prince: the one promiseth to be a good and wise prince, the other to obey faithfully provided he govern justly. The people therefore is obliged to the prince under condition, the prince to the people simply and purely; so that if the prince fail in his promise the people is exempt from obedience, the contract is made void, and the right of obligation of no force. Then the king, if he govern unjustly, is perjured, and the people are likewise forsworn if they obey not his lawful commands; but that people is truly acquit from all perfidiousness which publicly renounces the unjust dominion of a tyrant."

"But lest they should except against me, as if I thonght to trench too much upon the royal authority, I verily believe it is so much the greater, by how much it is likely to be of long continuance. For, saith one, servile fear is a bad guardian for that authority we desire should continue; for those in subjection hate whom they fear, and whom we hate, we naturally wish their destruction. On the contrary, there is nothing more proper to maintain their authority, than the affection of their subjects, on whose love they may safeliest and with most security lay the foundation of their greatness. There-

fore that prince which governs his subjects as brethren, may confidently assure himself to live securely in the midst of dangers; whereas, he that useth them as as slaves, must needs live in much anxiety and fear: and may well be resembled to the condition of that master, which remains alone in a desert in the midst of a great troop of slaves; for look how many slaves any hath, he must make amount of so many enemies—(which almost all tyrants that have been killed by their subjects have experienced,)—whereas, on the contrary, the subjects of good kings are even as solicitously careful of *their* safety, as of their own welfare."

Bossuet, p. 236.—Notwithstanding the commendation we have given to this able ecclesiastic's work, there is still standing against his memory, a striking instance of his religious intolerance, in his declaration to Louis 14th, on the Revocation of the edict of Nantes, "Let me indulge," says Bossuet, "the movement of my heart, and dwell on the piety of our monarch: let me raise to heaven my applauding voice: let me address this new Constantine, this new Theodosius, this other Marcian, this other Charlemagne, in the words with which the six hundred and thirty fathers expressed their sentiments to the Emperor at the Council of Chalcedon:—'You have strengthened the faith, you have exterminated the heretics; it is the most meritorious act of your reign. King of Heaven! preserve the King of the earth! It is the ardent desire of the Church, it is the ardent desire of the assembly, of her pastors, and of her Bishops.'

Bossuet, in his work "Variations of the Protestant Churches," maintains that the persecution of heretics ought not to be considered dishonourable to his communion,—he thinks it a point not to be called in question—calls the use of the sword in matters of religion, *an undoubted right*;—and concludes, that there is no illusion more dangerous than to consider *toleration* as a mark of the true Church.—"L'exercice de la puissance du glaive dans les matieres de la religion et de la conscience, chose qui ne peut être revoquée en doute—le droit est certain—il n'y a point d'illusion plus dangereuse, que de donner La Souffrance pour un caractere de Vraye Eglise."—*Hist. des Var. Lib.* 10, *p.* 51.

NOTE D, p. 203.

Nicolas Machiavel, p. 266.—"Mercenary and auxiliary arms are unprofitable and dangerous; and that prince who founds the duration of his government upon his mercenary forces shall never be firm or secure, for they are divided, ambitious, undisciplined, unfaithful, insolent to their friends, abject to their enemies, without fear of God or faith to men; so the ruin of that person who trusts to them is no longer protracted than the attempt is deferred. In time of peace they divorce you, in time of war they desert you; and the reason is, because it is not love, nor any principle of honour that keeps them in the field, but only their pay, and that is not a consideration strong enough to prevail with them to die for you. Whilst you have other service to employ them in, they are excellent soldiers; but tell them of an engagement, and they will either disband before, or run away in the battle." —*The Prince*, 1515.

"Princes cannot reasonably complain of the transgressions of their subjects, because it is necessarily their own negligence or ill example that debauches them; and if the people of our times are infamous for thefts, robberies, plundering, and such like enormities, it proceeds from the exorbitance and rapacity of their governors. Romagna, (before Pope Alexander VI. exterminated the Lords who had command in those parts,) was the scene of all dissoluteness and iniquity, every day and every trivial occasion producing notorious murders and rapines; which was not so much from any depravity of nature in the people, as from the corruption of their princes; who being poor of themselves, yet ambitious to live in splendour and magnificence, were forced on evil courses, and indeed refused none that could supply them. To pass by others, one of their detestable ways was to make laws against such and such things, which, after publication, they themselves would be the first to break, to encourage others to do the same; nor was any one punished for his transgression till they saw more involved in the same præmunire—then, forsooth, the laws were executed most strictly—not out of any true zeal for justice, but of a desire of fingering the fines: from whence it followed, that by grievous mulcts and extortions the people being impoverished, were compelled to use the same violence on those less potent than themselves. By, this means men were not so much corrected, as instructed to do ill; and all these evils proceeded from the iniquity of their princes."—*Discourses.*

Machiavel attributes to the court of Rome the loss of all "sense of religion in his time to that court, which had corrupted the manners of the whole country, and would corrupt those of the most virtuous country, wherever it should reside."

THOMAS CAMPANELLA, p. 281.—The social and political philosophy of this author has for its aim the reformation of humanity; and this reformation, if it were complete, would consist in re-establishing the integrity and harmony of power, wisdom, and love, the three primordial qualities, which the passions of man have corrupted or put at variance. In his book, entitled "Of the City of the Sun," Campanella has traced the plan of a typical society. It is ruled by a supreme chief, who represents God, who has three ministers presiding; the one over the physical force, the other over the propagation of science and wisdom, and the third over social union and the intercourse of life. But, singularly enough, this treatise contains nearly the bases of St. Simonism, and other kindred doctrines; such as embrace the community of goods and wives, the destruction of domestic and family relations, the transformation of domestic servitude into public functions, and the public authority, which consists solely in directing the various classes of labourers, exercised in each degree of the hierarchy by one man and one woman. Campanella, however, presented this typical society, so far as it implied the destruction of marriage and all the immoral consequences resulting therefrom, only as something intermediate between the degradation of heathen society, and the social perfection of which the christian system is the principle.

"Campanella gave a loose to his fanciful humour in a fiction, entitled the 'City of the Sun,' published at Frankfort in 1623, in imitation perhaps, of the 'Utopia'. The 'City of the Sun' is supposed to stand upon a mountain situated

in Ceylon, under the equator. A community of goods and women is established in this republic, the principal magistrate of which is styled Sun, and is elected, after a strict examination in all kinds of science. Campanella has brought in so much of his own philosophical system, that we may presume that to have been the object of this romance. The Solars, he tells us 'abstained at first from flesh, because they thought it cruel to kill animals.' But afterwards considering that it would be equally cruel to kill plants, which are not less endowed with sensation, so that they must perish by famine, they understood that ignoble things were created for the use of nobler things, and now eat all things without scruple."—*Hallam, Hist. Lit.*

PETER ARETINO, p. 288.—"Arctino in one of his letters says, 'So far it is plain that I am known to the Sophi, and to the Indians, and that the world is at this time filled with my renown. What more? The princes of the people being under a continual tribute, incessantly call me their scourge.' He was wont to boast that his libels had produced more good in the world, than all the sermons had ever done; in a letter written to him by Tornielli, we find the following passage. 'Do you not know that you have subdued more princes, pen in hand, than any one of the most powerful princes has with his arms? Whom does not your pen terrify? To whom is it not formidable? To whom also is it not agreeable? To whom is it not favourable? Your pen has, if I may so say, triumphed in a manner over all the princes of the world.'"

The epitaph on his tombstone runs thus:—
Here Arctino the bitter Tuscan lies,
A man, who never fail'd to satyrise,
Both dead and living; God alone was free:
He gave this reason: *He's unknown to me.*

"Since Italian song came into the world, now six centuries since, the first-born of modern intellect, she has never wearied of anxiously watching over the long and painful parturition of Italian nationality; and has, with holy perseverance, alimented the flickering flame of our religious hope. From the sublime aspirations of Alighieri, to the calm and solemn protests of Manzoni, Italian poetry has never despaired of the justice of God, and of the nation's future. She has ever spied out every generous thought, every hidden sacrifice of that despised multitude to whom Europe conspired to deny a name. She has gathered up and fostered every sign of returning energy in this our ancient Italy; and when it was intimated to her on all sides that she must die, she sang forth the glories of renewed vitality, and the virtues of hope. * * * * What else but a collection of quarrelsome communes and feeble petty tyrants was our peninsula, when Dante evoked once more that ancient name of '*Italy*,' proscribed by the popes, who wished us merged in the universality of Catholicism, and refused by the emperors, who have walled us up in the Gothic boundary of the '*Holy Germanic Empire.*' Dante marked out the limits of '*la bella Italia*'—of the '*paese del si*,' which extended itself '*dal piè dell' Alpe che serra Lamagna*,' whence come down on us the *Tedeschi lurchi.*' He restored to the country its individuality, and lamenting its intestine discords, awaked in our father's breasts the consciousness of a common country. And those were

the days when the Briton called the Norman and the Frank, stranger and robber;—when Provençals, Gascons, Lorrainers, Burgundians, and Flemmings would have deemed it an insult to be called Frenchmen. But already hearts were beating in Italy at the loved name of Italy; and the national mind already rebelled against the barbarous latinity of the pontifical canons and the feodal institutes; and the vernacular language of the people sounded forth sublime hopes, generous indignation, and immortal loves. From the day when first we awoke to self-consciousness—to the consciousness of our miseries and our destinies—from that day shone forth invincible the great idea of Italian unity, incarnate in the language, in the poetry, and the traditions of the people; shone forth with a ray that never more either the arms of strangers or our own degradation can quench. With Dante and Petrarch commenced that brotherhood, which shall then only be complete when four hundred thousand men shall move under one banner, exhorted to do or die in that tongue that in such terrible accents spoke its wrath, *'alla serva Italia, di dolore ostello;'*—when an Italian senate shall discuss Italian interests in the idiom that Cola di Rienzi spoke, that thundered from the pulpit of St. Marc in the mouth of Savanarola, that conveyed the severe and subtle reasoning of Machiavello. Glory to the tongue and to the poesy of Italy! Let all those who burn with love for their country think of the moment when first was awakened in their hearts the religion of patriotism, when first they felt their cheek glow with a patriot's indignation, and they will call to mind some monumental verse of Dante, some living melody of Petrarch—ever more true by far, and more impassioned, when he sings of the land *'che copre l' uno e l' altro parente,'* than when he quibbles on his Laura and the laurel. Glory to the poesy of Italy! When all was still and dead, when he snatched the arms from each other's hands, when energy and courage were extinct, her voice still never failed; nor did her courage ever desert her—her the vainly-derided guardian of a destiny, which fortune and violence may defer, but cannot prevent. * * * And in these days, when we are compelled to own the wretched doubt, whether the misfortunes or the shame of Italy be the greater, who can point to any act that has better served our country's cause than the verses of Berchet, of Niccolini, of Leopardi, of Pelico? Our poets have done that which to the vanquished is so difficult to do. They have given somewhat of dignity to our misfortunes—have commanded somewhat of respect for our distress. Europe, which had looked on with a mocking smile at the vain supplications of the commissioners of the Italian regency—at the almost bloodless discomfiture of the Neapolitans and Piedmontese—at the defeats of Novi and Rimini—at the assassinations of Modena and Savoy—could not read without tears and indignation the story of the horrors of Spielberg."

"The following works may be consulted on the subject of this note:—"Le Combalum Mundi," by Paul. L. Jacob, Paris, 1841. "Les Cent Nouvelles Nouvelles," by Le Roux de Lincy, Paris, 1841. "Le Moyen de Parvenir," by Charles Nodier, Paris, 1841. "Les Contes, on, Le Nouvelles Recreations et Joyeux Devis, de Bonaventure des Periers," Paris, 1841. "Propos Rustiques, Baliverneries, Contes, et Discours' Eutrapee," by J. Marie Guirhard, Paris, 1842. "Joyensetez, Facetics, et Folâtres Imaginacious de Caresmeprenant, Gauthier, Garguille, Guillot Gonju, &c." 22. vol. Paris.

NOTE E, p. 364.

Reformation, p. 295.—"Those students of history are much mistaken who imagine that Wickliffe was the first reformer, or that Luther was the founder of the Reformation. Resistance to Rome was as general and as uniform, though it was overpowered for many centuries, as resistance to arbitrary power, and political tyranny may be traced in every page of the history of England. Wickliffe followed in the train of the Hincmers and other bishops, whether of France, Milan, Ravenna, Constantinople, or elsewhere, who dauntlessly opposed the bishop of Rome; and Luther was but the voice of the mind of Europe, which had bowed down with indignation under the pontifical yoke. The iron sway of the Norman kings of England suppressed the passionate ardour of the English for the more free institutions of their Saxon ancestors. The establishment of our now common privileges, of taxation with representation, and the participation of the mass of the community in political power, is but the conclusion of the uniform demands of our ancestors, that their laws should be enacted with their own consent alone. The temporary suppression of the will of the people could not change the principles of liberty, nor prevent the eventual triumph of its advocates. So it was with the Reformation. The mass of events which is comprised under that name, some of which were most objectionable, was but the termination, in a large portion of Europe, of the continued and uniform resistance to the domination of the bishop of Rome. That resistance was suppressed, and burnt out in Spain, Italy, and many other places."—*Ecclesiastical and Civil History Philosophically Considered, by the Rev. Geo. Townsend*, 1847.

Theodore Beza, p. 310.—This distinguished man was the author of that popular political song concerning the Scalado, which the people of Geneva sing on the day of the anniversary; and which Bayle says, "was a piece which left in their minds the most lively impression."

Melchior Inchofer, p. 336.—In reference to the work of this author, Mr Hallam has the following remarks:—"Another Latin romance had some celebrity in its day, the 'Monarchia Solipsorum,' a satire on the Jesuits in the fictitious name of Lucius Cornelius Europeus. It has been ascribed to more than one person; the probable author is one Scotti, who had himself belonged to the order. This book did not seem to me in the least interesting; if it is so in any degree, it must be not as a mere fiction, but as a revelation of secrets."

Spinoza, p. 337.—The political ideas of Spinoza were essentially grounded on his ontological system. In matters of mind he considered intelligence and will as simple modifications of man's organic structure. In his views of morality, the notions of right and wrong are a nullity, inasmuch as they are inconceivable with a system where everything is absolutely identical, and only the necessary result of the energy of the sole or uniform substance of existence. The same ideas carried out in reference to politics, in all their ramifications and dependencies, bring us at last to the notion of force; and this

again, when contrasted with his mental and moral theory, brings us to this, that justice relatively to each person can only be conceived as the measure of his individual power; since in order to conceive it under any other aspect, we must fall back upon an imaginary divine law and of free-will—two things most decidedly negatived by the whole tenor of his reasoning.

Thus Spinoza arrives at the same result as Hobbes, only by a contrary route. The latter sets out from the diversity of human individuals as naturally hostile to each other; the Dutch philosopher starts from their absolute identity. The one excludes from his social hypothesis the idea of the infinite element—the principle of moral obligation; the other excludes the notion of finite beings, subjects of these moral obligations. Both land us in the politics of *force*; Hobbes assuming the character of an unmixed despotism—Spinoza that of pure anarchy.

Sieur de Sainte Aldegonde, was a distinguished statesman, and political writer of the Low Countries. His books and tracts on politics chiefly relate to the Spanish power in Belgium, and to the oppressions which its people endured during the sixteenth century. Aldegonde was the author of one of the most popular political songs of the day, and from which, Bayle tells us the republic gained great advantages. Another Belgian writer speaks of it in these terms. "The same person is said likewise to be the author of that famous song written in praise of Prince William of Nassau, addressed to the people of the Low Countries, oppressed by the tyranny of the Duke of Alva. This song is so excellent in its composition, and the rhymes and time so good, that it inflamed the minds of the populace with a prodigious love for the prince and the liberty of their country. In this point Sainte Aldegonde showed himself, as it were, another Tyrtæus, so often applauded by Plato; for, as this song contains an encomium of that brave prince, excitements to virtue, consolation for losses, and useful advices, it inspired the people with a strong resolution of defending the prince and the liberty of their country so that nothing can be thought to have been published more suitable to the circumstances of the times." Bayle adds to this: "We have one of the most important services from the hand of Aldegonde. A hundred good reasons might have been given against Spanish oppression, and it was of great importance to inculcate them upon the people, both in the pulpit and in books; but nothing could so much serve this purpose as a song; for it is a thing which imprints itself on the memory, and everybody, even the peasants and servants, repeat it daily with great satisfaction and joy."

NOTE F, p. 409.

The Jesuits, p. 371.—"Let every one observe," (say the *Constitutions* of the Jesuits) that they who live under obedience ought to allow themselves to be borne and carried out by Divine Providence, acting in the person of their superiors; and they ought to permit themselves to be moved about as if they *were a corpse*, which suffers itself to be carried and swayed in any way you please; or, as if *they were a staff in the hands of an old man*, which allows him to use it wheresoever, and for whatsoever he likes."—*See* "*The Gospel in Advance of the Age*," *by the Rev. Robert Montgomery*, 1849.

FRANCIS VICTORIA, p. 383.—Francis Victoria, who began to teach at Valladolid in 1525, is said to have first expounded the doctrines of the schools in the language of the age of Leo X. Dominic Soto, a Dominical, the confessor of Charles V. and the oracle of the Council of Trent, to whom that assembly were indebted for much of the precision and even elegance for which their doctrinal decrees are not unjustly commended, dedicated his treatise on "Justice and Law" to Don Carlos, in terms of praise which, used by a writer who is said to have declined the high dignities of the church, lead us to hope that he was unacquainted with the brutish vices of that wretched prince. It is a concise and not inelegant compound of the scholastic ethics, which continued to be of considerable authority for more than a century. Both he and his master Victoria deserve to be had in everlasting remembrance for the part which they took on behalf of the natives of America and of Africa against the rapacity and cruelty of the Spaniards. Victoria pronounced war against the Americans for their vices or for their paganism to be unjust. Soto was the authority chiefly consulted by Charles V. on occasion of the conference held before him at Valladolid, in 1542, between Sepulveda, and Las Casas, the champion of the unhappy Americans; of which the result was a very imperfect edict of reformation in 1543, which, though it contained little more than a recognition of the principle of justice, almost excited a rebellion in Mexico. Sepulveda, a scholar and reasoner, advanced many maxims which were specious, and in themselves reasonable, but which practically tended to defeat even the scanty and almost illusive reform which ensued. Las Casas was a passionate missionary, whose zeal, kindled by the long and near contemplation of cruelty, prompted him to exaggerations of fact and argument; yet, with all its errors, it afforded the only hope of preserving the natives of America from extirpation. The opinions of Soto could not fail to be conformable to his excellent principle, that, "There can be no difference between christians and pagans, for the law of nations is equal to all nations." To Soto belongs the signal honour of being the first writer who condemned the African slave-trade. * * * * As the work which condemned this man-stealing and slavery was the substance of lectures many years delivered at Salamanca, philosophy and religion appear, by the hand of their faithful minister, to have thus smitten the monsters in their earliest infancy. It is hard for any man of the present day to conceive the praise which is due to the excellent monks who courageously asserted the rights of those whom they never saw, against the prejudices of their order, the supposed interests of their religion, the ambition of their government, the avarice and pride of their countrymen, and the prevalent opinions of their times."—*Sir James Mackintosh.*

"It is very remarkable, though hitherto unobserved, that Aquinas anticipated those controversies respecting perfect disinterestedness in the religious affections which occupied the most illustrious members of his communion four hundred years after his death; and that he discussed the like question respecting the other affections of human nature with a fulness and clearness, an exactness of distinction, and a justness of determination, scarcely surpassed by the most acute of modern philosophers. It ought to be added, that

according to the most natural and reasonable construction of his words, he allowed to the church a control only over spiritual concerns, and recognised the supremacy of the civil powers in all temporal affairs."—*Sir J. Mackintosh.*

SEPULVEDA.—The title of the conference at Valladolid on the subject of Indian conquest and slavery is, "The Controversy between the Bishop of Chiapa and Dr. Sepulveda, in which the Doctor contended that the Conquest of the Indies from the Natives was lawful, and the Bishop maintained that it was unlawful, tyrannical, and unjust, in the presence of many theologians, lawyers, and other learned men assembled by his majesty."—*Antonii, Bibl. Hisp.*

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